SAN FRANCISCO PUBLIC LIBRARY
3 1223 08514 6067

5/S

San Francisco Public Library

Government Information Center
San Francisco Public Library
100 Larkin Street, 5th Floor
San Francisco, CA 94102

REFERENCE BOOK

Not to be taken from the Library

Digitized by the Internet Archive
in 2015

https://archive.org/details/meetingminutesb2008sanf_0

- LISTEN
- TEXT ONLY
- PRINT
- A
- A
- A

April 01, 2008

GOVERNMENT
DOCUMENTS DEPT

JAN - 9 2009

SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

Tuesday, April 1, 2008
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:03 p.m. On the call of the roll Supervisors Dufty, Maxwell and McGoldrick were noted absent.
There was a quorum present.
Supervisors Dufty and Maxwell were noted present at 2:04 p.m.
Supervisor McGoldrick was noted present at 2:09 p.m.

APPROVAL OF MEETING MINUTES

3 1223 08514 6067

Supervisor Mirkarimi, seconded by Supervisor Alioto-Pier, moved to approve the March 11, 2008 Board Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

COMMUNICATIONS

Angela Calvillo, Clerk of the Board informed the Board that she was in receipt of a communication from the Mayor indicating that he was vetoing legislation contained in File No. 080196, appropriating $246,000 to Department of Human Resources for the Workers' Compensation Clinic at San Francisco General Hospital. This matter will be agendized at the April 8, 2008 Board meeting for Board action.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

080125 [Jurisdictional Property Transfer - Portions of Sue Bierman Park at Washington and Clay Streets (Block 0203, Lot 014)]

Ordinance transferring jurisdiction of reserved portions of Sue Bierman Park located at Washington and Clay Streets (Block 203, Lot 014) from the Department of Public Works to the Recreation and Park Department; and adopting findings that the transfer is consistent with the General Plan and Section 101.1 of the Planning Code. (Real Estate Department)

Enacted Number: 60-08

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080141 [Waiver of Administrative Code Section 6.64 to allow modification of Agreement No. CS-525A in an amount that exceeds one hundred-fifty percent of the original contract amount]

Ordinance granting the San Francisco Public Utilities Commission a waiver of Administrative Code Section 6.64 to allow the contract amount of Agreement No. CS-525A with Olivia Chen Consultants to exceed one hundred-fifty percent of the original contract amount. (Public Utilities Commission)

Enacted Number: 54-08

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin,

Sandoval

080274 **[Approval of Health Service System Plans and Contribution Rates]** **Supervisor Elsbernd**

Ordinance amending Chapter 16, Article XV, of Part 1 of the San Francisco Municipal Administrative Code by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates.
(Fiscal Impact.)

Enacted Number: 56-08

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the City Operations and Neighborhood Services Committee

080313 **[Grant to support the National HIV Behavioral Surveillance project - $418,225]** **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a new grant from the Centers for Disease Control (CDC) in the amount of $418,225 to support the "National HIV Behavioral Surveillance" project, and to enter into a subcontract with the Public Health Foundation Enterprises (PHFE) in the amount of $53,723; for the period of January 1, 2008 through December 31, 2008.

Enacted Number: 160-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080314 [Grant funds to support HIV vaccine trials - $156,895] **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH) to enter retroactively into an agreement and to accept and expend funds in the amount of $156,895, with the Fred Hutchinson Cancer Research Center (FHCRC), the primary contractor, to support the San Francisco HIV Vaccine Trials Network (VTN) Leadership Group/Public Health Foundation Enterprises (PHFE); for the period of June 1, 2007 through May 31, 2008.

Enacted Number: 161-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080315 [Grant funds to support HIV **Supervisor**

vaccine trials - $126,989] **Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH) to enter retroactively into an agreement and to accept and expend funds in the amount of $126,989, with the Fred Hutchinson Cancer Research Center (FHCRC), the primary contractor, to support the San Francisco HIV Vaccine Trial Network 40% Transition Costs; for the period of June 1, 2007 through December 31, 2007.

Enacted Number: 162-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080316 **[Accept and Expend Regional Grant - Department of the Environment - $157,500]** **Supervisor Chu**

Resolution authorizing the Department of the Environment (SF Environment) to accept and expend grant funds, in the amount of $157,500 from the Bay Area Air Quality Management District (BAAQMD) to assist taxi companies with grant funding to help them offset the incremental costs associated with the purchase of 75 light-duty clean air vehicle taxis.

Enacted Number: 153-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080347 [Accept and Expend Department of Water Resources (DWR) Water Use Efficiency Grant Funds - $200,000] **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a Department of Water Resources (DWR) Water Use Efficiency Grant in the amount of $200,000.

Enacted Number: 163-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use and Economic Development Committee

031034 [Planning Code - Northeast Waterfront Historic District Signs] **Supervisor Peskin**

Ordinance amending the Planning Code by creating Section 608.15 to establish the Northeast Waterfront Special Sign District, creating Section 609.14 to address amortization of nonconforming signs in this District, amending Section 608 and Article 10, Appendix D, Section 7 to be consistent with this Ordinance, amending the Zoning Map Sectional Map SSD-1 to show the boundaries of this District, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Enacted Number: 59-08

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071651 **[Planning - Administrative Enforcement Remedies]** **Supervisors Sandoval, Maxwell, Peskin**

Ordinance amending the San Francisco Planning Code by amending Section 176 to authorize the Zoning Administrator to assess administrative penalties for a Planning Code violation; adding Section 176.1 to establish Planning Code enforcement remedies of the Director, which include issuance and recording of orders of abatement, assessment of administrative penalties, and a hearing and appeal process; amending Sections 1013 and 1119 to refer to Sections 176 and 176.1 as the applicable enforcement and penalty provisions; adopting findings including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning

Code Section 101.1.

Enacted Number: 57-08

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Public Safety Committee

080154 [Accept-Expend Federal Grant - Airport Commission - $849,126] **Supervisor Elsbernd**

Resolution authorizing the Airport Commission to accept and expend funding in a total amount of $849,126 from the Transportation Security Administration ("TSA") for the Airport K-9 Explosives Detection Team Program.

Enacted Number: 164-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080276 [Accept-Expend Grant, Mayor's Office of Criminal Justice (MOCJ) - $287,150] **Supervisor Elsbernd**

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of $287,150 from the California Corrections Standards Authority for the purpose of enhancing the capacity of San Francisco to implement an effective continuum of response to juvenile crime and delinquency.

Enacted Number: 145-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Rules Committee

080231 [Driving-experience requirements for taxi medallion applicants] **Supervisors Daly, Dufty, Ammiano, Mirkarimi**

Ordinance amending the San Francisco Police Code by amending Section 1121, to adjust the driving-experience requirements for taxi medallion applicants.

Enacted Number: 58-08

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080303 [Appointment - Asthma Task Force]

Motion appointing Amy Dietz, term ending July 1, 2008, to the Asthma Task Force.

Amy Dietz, succeeding Barbara Conner Andersen, seat 15, resigned, must be an individual who represents health care professions working with asthmatics and is a voting member, for the unexpired portion of a two-year term ending July 1, 2008.

Enacted Number: M08-62

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080375 [Appointment - Small Business Commission]

Motion appointing Janet Clyde, term ending January 6, 2012, to the Small Business Commission.

Janet Clyde, succeeding Jordanna Thigpen, term expired, seat 3, must be appointed by the Board of Supervisors. May be a member of the public, and may be either a current or former owner, operator or officer of a San Francisco small business. May be an officer or representative of a neighborhood economic development organization or an expert in small business finance, for a four-year term ending January 6, 2012.

Enacted Number: M08-61

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080374 [Appointment - Peak Oil Preparedness Task Force]

Motion appointing Richard Katz and Franz Cheng, for unexpired portion of terms ending October 5, 2008, to the Peak Oil Preparedness Task Force, residency requirement waived.

Richard Katz, succeeding Carl Duisberg, resigned, seat 2, must represent the public at large, for the unexpired portion of a one-year term ending October 5, 2008. Franz Cheng, succeeding Marya Stark, resigned, seat 6, must represent the public at large, for the unexpired portion of a one-year term ending October 5, 2008.

Enacted Number: M08-60

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

080346 [Reserving $760,163 of Disability Access Projects for the Board of Supervisors Chamber in the City Administrator's Office for Fiscal Year 2007-08] **Supervisor McGoldrick**

Ordinance reserving $760,163 of Disablity Access Projects for the Board of Supervisors Chamber in the City Administrator's Office for Fiscal Year 2007-08. (Fiscal Impact.) (Supervisor Daly dissented in committee.)

Enacted Number: 55-08

FINALLY PASSED by the following vote:

Ayes: 8 - Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Ammiano, Dufty

Recommendation of the Rules Committee

080135 [Settlement of Lawsuit - Mark Chambers]

Ordinance authorizing settlement of the class action lawsuit entitled Chambers v. City and County of San Francisco, filed on October 11, 2006 in the United States District Court for the Northern District of

California, Case No. C06-06346 WHA. Pursuant to the proposed settlement, the City will enhance community-based housing and services for residents of Laguna Honda Hospital and for other San Franciscans who would benefit from long-term community-based care. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

NEW BUSINESS

Recommendations of the Budget and Finance Committee

080284 [Bond Sale of Branch Library General Obligation Bonds] **Mayor, Supervisors Peskin, Alioto-Pier**

Resolution authorizing and directing the sale of not to exceed $31,065,000 City and County of San Francisco General Obligation Bonds (Branch Library Facilities Improvement Bonds, 2000) Series 2008A; Prescribing the Form and Terms of Said Bonds; Authorizing the Execution, Authentication and Registration of Said Bonds; Providing for the Appointment of Depositories and Other Agents for Said Bonds; Providing For the Establishment of

Accounts Related Thereto; Approving the Forms of Official Notice of Sale and Notice of Intention to Sell Bonds; Directing the Publication of the Notice of Intention to Sell Bonds; Approving the Form and Execution of the Official Statement Relating Thereto; Approving the Form of the Continuing Disclosure Certificate; Approving Modifications to Documents; Ratifying Certain Actions Previously Taken; and Granting General Authority to City Officials to Take Necessary Actions in Connection with the Authorization, Issuance, Sale and Delivery of Said Bonds.

Enacted Number: 132-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

080369 [Directing the Office of Legislative Analyst to process suggestions by City employees on reducing or eliminating City expenditures] **Supervisor McGoldrick**

Motion directing the Office of Legislative Analyst to process suggestions by City employees on reducing or eliminating City expenditures and creating efficiencies and reporting their recommendations to the Budget and Finance Committee.

Enacted Number: M08-59

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

080238 [Appropriating $261,757,569 of San Francisco Water Revenue Bonds for the San Francisco Public Utilities Commission Water System Improvement Program for Fiscal Year 2007-08] **Mayor**

Ordinance appropriating $257,205,000 of San Francisco Water Revenue Bonds, 2006 Series A, and deappropriating $4,552,569 of Sunol Valley Water System Improvement Projects to support various projects under the Water System Improvement Program (WSIP) in the Public Utilities Commission for FY 2007-08.
(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

Recommendations of the City Operations and Neighborhood Services Committee

080089 [Suspending Health Code Sections 34.4 and 34.6 of the **Supervisor Alioto-Pier**

Healthy Products, Healthy Children Ordinance]

Ordinance amending the San Francisco Health Code by adding Section 34.10, to suspend Sections 34.4 and 34.6 of the Healthy Products, Healthy Children Ordinance.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

080345 [Welcoming Beijing 2008 Olympic Torch, Tibetan Freedom Torch, and Global Human Rights Torch Relay]

Resolution welcoming the Beijing 2008 Olympic Torch, the Tibetan Freedom Torch and the Global Human Rights Torch to San Francisco and urging City Representatives accepting the Beijing 2008 Olympic Torch to welcome the Torch in the true spirit of the Olympics, consistent with the United Nations Charter established in this City, and the United Nations Universal Declaration of Human Rights.

Supervisor Sandoval, seconded by Supervisor Daly, moved that this Resolution be TABLED. The motion carried by the following vote:

Ayes: 7 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 4 - Alioto-Pier, Chu, Dufty, Elsbernd

From the City Operations and Neighborhood Services Committee Without Recommendation

Supervisor Dufty Excused From Voting

Supervisor Ammiano, seconded by Supervisor Maxwell, moved to excuse Supervisor Dufty, at his request, because of possible conflict of interest, from voting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

071489 [Opposing closure of St. Luke's Hospital] Supervisors Mirkarimi, Ammiano, Maxwell, Daly

Resolution opposing the plans of Sutter Health to cease operations at St. Luke's Hospital, requesting City Departments to identify pending applications sought in furtherance of such closure and report such applications; and requesting the City Attorney to investigate the actions taken by Sutter Health and initiate proceedings, if warranted, under relevant statutes.

Supervisor Elsbernd, seconded by Supervisor Maxwell, moved that this Resolution be

AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

Supervisor Alioto-Pier moved to continue this matter to July 8, 2008.
Motion to continue this matter failed for lack of a second.
Supervisor Daly requested to be added as a co-sponsor.

ADOPTED AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Alioto-Pier
Excused: 1 - Dufty

Recommendation of the Land Use and Economic Development Committee

080351 [Changing the official sidewalk width - Mission Street] Mayor

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1578 to change the official sidewalk width on the north side of Mission Street west of 3rd Street; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change; and approving a public access easement for a portion of Jessie Square.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Supervisor Peskin introduced, welcomed and presented a Certificate of Honor to Ed Harrington in recognition of his service to the City and County of San Francisco as the Controller.
Board members also expressed their appreciation to Ed Harrington.

COMMITTEE REPORTS

080391	**[Commending Tibetan Freedom Torch and Global Human Rights Torch Relay]**	**Supervisors Daly, Ammiano, Mirkarimi**

Resolution commending the Tibetan Freedom Torch and the Global Human Rights Torch Relay in their efforts to raise awareness regarding human rights violations in China and urging the San Francisco City Representatives accepting the Beijing 2008 Olympic

Torch to welcome the Torch in the explicit spirit of Olympism, consistent with the United Nations Charter established in this City, and the United Nations Universal Declaration of Human Rights.

Enacted Number: 146-08

ADOPTED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 3 - Alioto-Pier, Chu, Elsbernd

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently *remove the document when they want the screen to return to live coverage of the meeting.*

James Chaffee; expressed concern with issues relating to the SF Public Library
Peter Warfield; expressed concern with issues relating to the SF Public Library
Eugene Gordon, Jr.; expressed concern with issues relating to the violations of human rights
Starchild; expressed concern with issues relating to the route to be used in torch relay and budget issues
Abdullah Megaheed; expressed concern with issues relating to the Mayor and the homeless conditions in San Francisco
Dr. Porter; expressed concern with issues relating to regulations on 19th Avenue
and automobile congestion
Alma Jean Caldwell; expressed concern with issues relating to the homeless conditions
John di Donna; expressed concern with issues relating to the violation of gay human rights
Diane Wesley Smith; expressed concern with issues relating to Bayview Hunter's Point
Male speaker; expressed concern with issues relating to the human rights
Walter; shared with Board members various memorabilia
Idel Wilson; expressed concern with issues relating to Channel 29
Female speaker; expressed concern issues relating to living conditions in El Salvador
Male speaker; expressed concern with issues relating to human rights

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

080410 [Summerbridge at San Francisco University High School Day] **Supervisor Alioto-Pier**

Resolution declaring Thursday, March 27, 2008 Summerbridge at San Francisco University High School Day.

Enacted Number: 154-08

ADOPTED

080411 [Supporting public access to information regarding the Olympic torch route] **Supervisors Ammiano, Mirkarimi, Daly**

Resolution supporting public access to information regarding the Olympic torch route through San Francisco.

Enacted Number: 149-08

ADOPTED

080412 [Mortgage Credit Certificates] **Supervisor Chu**

Resolution authorizing an application to the California Debt Limit Allocation Committee to permit the issuance of Mortgage Credit Certificates.

Enacted Number: 155-08

ADOPTED

080413 [Commending Asian Chefs Foundation] **Supervisor Chu**

Resolution commending Asian Chefs Foundation in the fight against human trafficking.

Enacted Number: 156-08

ADOPTED

080414 [Extending the life of Western SoMa Citizens Planning Task Force] **Supervisor Daly**

Resolution extending the life of the Western SoMa Citizens Planning Task Force.

Enacted Number: 150-08

ADOPTED

080415 [19th Avenue corridor speed limit reduction] **Supervisors Elsbernd, Chu**

Resolution urging the MTA to support Caltrans' recommendation to lower the speed limit along the 19th Avenue corridor from 35 mph to 30 mph.

Supervisor Chu requested to be added as a co-sponsor.

Enacted Number: 165-08

ADOPTED

080416 [Ed Harrington Day] **Supervisors Peskin, Chu**

Resolution commending Controller Ed Harrington for 17 years of exemplary service to the City and County of San Francisco.

Supervisor Chu requested to be added as a co-sponsor.

Enacted Number: 151-08

ADOPTED

080417 [National Start! Walking Day] **Supervisor Peskin**

Resolution proclaiming April 16, 2008 as "National Start! Walking Day" in San Francisco.

Enacted Number: 157-08

ADOPTED

080418 [Endorsing solar powered parking meters] **Supervisor Mirkarimi**

Resolution endorsing the use of solar powered parking meters.

Enacted Number: 152-08

ADOPTED

080421 [Commending the Latino Community Foundation on the occasion of their Third Annual Gala and for their new Latino Children and Youth Initiative] **Supervisor Sandoval**

Resolution commending the Latino Community Foundation on the occasion of their Third Annual Gala and for their new Latino Children and Youth Initiative.

Enacted Number: 158-08

ADOPTED

080422 [Memorializing the one-year anniversary of the death of Ruby Ordeñana] **Supervisor Sandoval**

Resolution memorializing the one-year anniversary of the death of Ruby Ordeñana.

Enacted Number: 159-08

ADOPTED

080419 [Amending the FY 2007-2008 schedule of audits to be conducted of programs of City and County departments by the **Supervisors Peskin, Mirkarimi**

Budget Analyst]

Motion amending the FY 2007-2008 schedule of audits to be conducted of programs of City and County departments by the Budget Analyst to include an audit of the Communities of Opportunity (COO) program.

Enacted Number: M08-63

APPROVED

080420	**[Waiver permitting City Employees to assist the Department of Elections with the April 8, 2008 election]**	**Supervisor Peskin**

Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections with the April 8, 2008 election.

Enacted Number: M08-58

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

080425 [Reserving $3,000,000 of Solar Incentive Program funding in the Public Utilities Commission for Fiscal Year 2007-2008] **Supervisor McGoldrick**

Ordinance reserving $3,000,000 of Solar Incentive Program funding in the Public Utilities Commission for Fiscal Year 2007-2008.

4/1/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080436 [Authorizing the passthrough from landlord to residential tenant of specified percentages of water and sewer services cost increases imposed through adoption of water and sewer rates after **Supervisor Alioto-Pier**

Ordinance amending the San Francisco Administrative Code to encourage water conservation by authorizing landlords to pass through to tenants fifty percent of increased water and sewer bill charges resulting from the adoption of water and sewer rates after July 1, 2002, and the passthrough to tenants of seventy percent of increased water and sewer bill charges resulting from the adoption of water and sewer rates after July 1, 2002, where specified water conservation devices have been installed in all rental units and common areas of a building; and providing for passthrough administration, noticing and enforcement procedures.

4/1/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/1/2008.

080437 [Public information officers; emergency service] **Supervisor Alioto-Pier**

Ordinance amending the San Francisco Administrative Code by adding Section 7.20, to require all City public information officers to attend annual training in emergency communications to be provided by the Department of Emergency Management, require the Department of Emergency Management to prepare a plan for coordinating and directing the activities of public information officers during a local emergency, and restate the responsibilities of public information officers as disaster service workers.

4/1/08, RECEIVED AND ASSIGNED to Public Safety Committee.

080438 [Prohibiting Smoking in Enclosed Areas, Certain Unenclosed Areas, and Sports **Supervisor Daly**

Stadiums]

Ordinance updating findings based on recent studies; amending San Francisco Health Code Sections 1009.20, 1009.21, 1009.22, 1009.23, 1009.25, and 1009.81, and adding Sections 1009.26, 1009.27, 1009.28, and 1009.29, to prohibit smoking in 1) business establishments and bars regardless of whether owner-operated, 2) common areas of multi-unit housing complexes, 3) tourist lodging facilities, 4) tobacco shops, 5) charity bingo games, 6) taxicabs and other motor vehicles for hire, 7) unenclosed dining areas of restaurants, 8) service waiting areas, 9) areas within twenty feet of entrances to private, nonresidential buildings, 10) farmers markets, and 11) vehicles owned by the City and County of San Francisco; establishing obligations for property owners and managers to prevent smoking in prohibited areas, defining secondhand smoke from a business establishment located in a mixed-use residential and commercial building as a nuisance; adding administrative procedures and penalties; deleting criminal penalties; adding provisions for cost recovery and liens; adding provisions for private enforcement of the ordinance, and making conforming changes in the Police Code by repealing Sections 53, 53.1, and 1098, and in the Health Code by repealing Section 1009.24.

4/1/08, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 5/1/2008.

080441 [Regulating Overtime for City Employees] **Mayor, Supervisor McGoldrick**

Ordinance amending Section 18.3-1 of the Administrative Code, to limit overtime hours to no more than 80 in a regular work week except for work performed by uniformed ranks of the Police and Fire Departments or for emergency or critical service needs, if such emergency or critical service need is approved by appropriate officials.

4/1/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080442 [Recreation and Park Department - County Fair Building & Botanical Garden Facility Rental Fees] **Mayor**

Ordinance making environmental findings and amending San Francisco Park Code, Article 12, by adding Section 12.46, to establish facility rental fees for the County Fair Building and Botanical Garden.

4/1/08, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/1/2008.

04/07/08 - Referred to Planning to dertermination of environmental impact.

080444 [Appropriating $275,237 of Beginning Fund Balance for Grievance Arbitration Expenses and Workers' Compensation Settlement Costs in the War **Mayor**

Memorial for Fiscal Year 2007-2008]

Ordinance appropriating $275,237 of Beginning Fund Balance for Grievance Arbitration Expenses and Workers' Compensation Settlement Costs in the War Memorial for Fiscal Year 2007-2008. (Fiscal Impact.)

4/1/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080445 [Establishment and Membership of Inpatient Mental Health Care Task Force] **Supervisor Mirkarimi**

Ordinance adding Sections 114.1 - 114.3 of the San Francisco Health Code to establish an Inpatient Mental Health Care Task Force to advise on the funding and other issues relating to inpatient psychiatric care; specifying that the number of members is 17; and stating the purposes of the task force and providing for a sunset provision.

4/1/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/1/2008.

080380 [Unsolicited Print Publications--Stop Distribution Notice] **Supervisor Mirkarimi**

Ordinance amending Section 184.69 - 184.72 and 184.74 of the Public Works Code to require publishers of unsolicited print publications to provide a toll-free number or an e-mail address for residents who do not want to receive such print publications; to prohibit the distribution of such print publications to residents who request not to receive such print publications; and to assess penalties.

3/18/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

4/1/08, SUBSTITUTED. Supervisor Mirkarimi submitted a substitute ordinance bearing new title.

4/1/08, ASSIGNED to City Operations and Neighborhood Services Committee.

Resolutions

080435 [Funds to support public health emergency preparedness - $468,469] **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of $468,469 from the California Department of Public Health (CDPH) Emergency Preparedness Office, to fund the Hospital Preparedness Program; for the period of September 1, 2007 through August 8, 2008.

4/1/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080439 [Grant to fund rapid HIV tests in San Francisco - $781,839] **Supervisor Dufty**

Resolution authorizing the San Francisco

Department of Public Health (DPH), to accept and expend retroactively a new three-year grant from the California Department of Public Health (CDPH) in the amount of $731,070, including a retroactive contract with University of California - San Francisco (UCSF) which includes a 12 percent contingency for a total of $781,839 to support the project entitled "Expanded and Integrated Human Immunodeficiency Virus (HIV) Testing of Populations Disproportionately Affected by HIV (Primarily African Americans);" for the period of October 1, 2007 through September 30, 2010.

4/1/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080440 [Grant to support technical assistance for an HIV/AIDS project - $215,928] **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH), to accept and expend retroactively a new grant from the Bill and Melinda Gates Foundation in the amount of $215,928, including a retroactive contract with Public Health Foundation Enterprises, Inc. (PHFE) in the amount of $207,198, for the "China MSM: Technical Assistance" project; for the period of January 1, 2008 through December 31, 2008.

4/1/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080447 [Adopting the State of **Supervisor**

California's Energy Priorities] Alioto-Pier

Resolution adopting the State of California's Energy Priorities as stated in the Energy Action Plan of 2003 and Energy Action Plan II of 2005 which are, in the following order, energy efficiency and demand response, renewable energy and lastly clean fossil generation.

4/1/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080448 [Accept-Expend Grant - Juvenile Probation Department - $62,500] Supervisor Elsbernd

Resolution authorizing the Juvenile Probation Department to accept and expend a grant in the amount of $62,500 from the Annie E. Casey Foundation to support juvenile justice reform activities at the Juvenile Probation Department.

4/1/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080449 [Commending Marc Randall] Supervisor Chu

Resolution commending Marc Randall for his service and leadership in San Francisco through the Recreation and Park Department.

4/1/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080450 [Commending the San Supervisor

Francisco Planning and Urban Research Association on the groundbreaking of SPUR's new Urban Center] **Sandoval**

Resolution commending the San Francisco Planning and Urban Research Association on the groundbreaking of SPUR's new Urban Center.

4/1/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

080434 [SFUSD schools admission process] **Supervisor Chu**

Hearing on the San Francisco Unified School District schools admission process.

4/1/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080446 [Foot beat patrol program evaluation] **Supervisor Mirkarimi**

Hearing before the Public Safety Committee for the purpose of receiving the findings and recommendations of the foot patrol program evaluation completed by Public Safety Strategies Group, a consultant retained by the Controller's office, to fulfill the requirements of Board of Supervisors file #061453.

4/1/08, RECEIVED AND ASSIGNED to Public Safety

Committee.

080451 **[Fiscal Year 2008/09 budget status updates]** **Supervisor McGoldrick**

Hearing to consider Fiscal Year 2008/09 budget status updates.

4/1/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Motion

080430 **[Confirming the reappointment of Thomas Mazzucco to the San Francisco Police Commission]** **Mayor**

Motion confirming the Mayor's nomination of, and reappointing, Thomas Mazzucco to the San Francisco Police Commission for a four-year term ending April 30, 2012.

3/28/08, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

080392 **[Approval of the amendment of the Mental Health Services Act (MHSA) Agreement]**

Resolution approving the amendment of the MHSA Agreement to include the MHSA Housing budget of $9,877,600 comprised of the MHSA Housing allocation of $7,714,400 and One-Time Augmentation to the MHSA Community Services and Supports of $2,163,200 and the assignment of these funds to CalHFA for investing in appropriate investment vehicles, underwriting of capital loans, determination of operating subsidies, disbursement of funds to approved housing developments, and continued monitoring of the project development. (Public Health Department)

3/21/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080393 [Street Artist Winter Holiday Spaces]

Resolution approving continuous designation of temporary selling spaces in the Downtown area and at Harvey Milk Plaza for street artists certified by the Arts Commission, City and County of San Francisco, for each year's winter holiday season, beginning on November 15 and ending on January 15. (Arts Commission)

3/18/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080394 [Apply For-Accept-Expend Federal Funding - Community Development Block Grant]

Resolution approving the 2008/09 Community Development Block Grant (CDBG) Program; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2008/09 Community Development Block Grant Program entitlement from the U.S. Department of Housing and Urban Development (HUD) together with Program Income and Reprogrammed Funds, totaling $22,617,052. (Mayor)

3/21/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080395 [Apply For-Accept-Expend Federal Funding - Emergency Shelter Grants Program]

Resolution approving the 2008/09 Emergency Shelter Grant (ESG) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2008/09 Emergency Shelter Grant Program entitlement from the U.S. Department of Housing and Urban Development (HUD) in the amount of $944,908. (Mayor)

3/21/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080396 [Apply For-Accept-Expend Federal Funding - HOME Program]

Resolution approving the 2008/09 HOME Investment Partnership (HOME) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2008/09 HOME Program entitlement from the

U.S. Department of Housing and Urban Development (HUD) together with Reprogrammed Funds, totaling $7,740,804. (Mayor)
3/21/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080397 [Agreement to Purchase Property in Tuolumne County]
Resolution approving and authorizing an agreement for the purchase of approximately 39 acres of unimproved land near Moccasin in Tuolumne County, for the protection of water quality for a purchase price of $376,000; adopting findings that the conveyance is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)
(Fiscal Impact.)
3/24/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Requests Granted

From: Supervisor Sandoval
To: Director, 311 Call Center
Requesting/Inquiring: Requesting that the Clerk of the Board draft a letter to the Director of 311 asking for the call center's procedures for referring violations of the Planning Code, including property owners who

have paved over their required front-yard landscaped setback. The Director's response should include efforts to educate call center operators so that they can recognize violations of the planning code.

From: Supervisor McGoldrick
To: City Attorney
Requesting/Inquiring: Directing the City Attorney to draft legislation that will suspend any purchases of new city vehicles effective immediately, in light of the severe city budget deficit.

From: Supervisor Mirkarimi
To: Controller
Requesting/Inquiring: Requesting that the Controller act on the following: 1) determine the number of Public Information Officers Citywide. 2) Determine the number of Public Information Officers funded by General Fund versus non GF departments- determine the number of essential versus non-essential positions. 3) Assess and determine the need for civilian versus sworn Public Information Officers in public safety/law enforcement agencies. 4) Predicated on this information, draft a Negative Supplemental Appropriation that strives toward a 50 percent reduction in Public Information Officers.

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removal of abandoned property and emptying of overflowing trash receptacles:
Abandoned property:
Couch at 225 Pierce Street

Clothing and furniture at the northwest corner of Fillmore and Oak
Mattress at 505 Fillmore
Trash Receptacle:
Northwest corner of Fillmore and Grove
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from the following private property locations:
666 Octavia Street-Southeast corner of Octavia and Fulton
615-617 Octavia Street-Southwest corner of Octavia and Birch
322A-B Linden between Octavia and Gough
445 Hayes between Octavia and Gough—markings are on Linden
297 Page Street-Southeast corner of Page and Laguna
421 Laguna Street
355 Laguna Street
207 Laguna Street
525 Gough between Grove and Fulton-whole side of the building used by parking lot filled with graffiti
428-428A Grove Street- between Octavia and Gough
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from the following City-owned locations:
Stoplight control boxes:
Southeast corner of Fillmore and Fell
Northeast corner of Haight and Ashbury

Street Cleaning Signs:
519 Ashbury
1332 Waller
1320 Waller
Police Call Box:
Southeast corner of Oak and Scott
Stop Sign:
Northwest corner of Ashbury and Waller
Trash receptacle:
Northwest corner of Fillmore and Grove
Pedestrian Overpass:
Geary overpass stair riser wall on the east side of Hamilton Recreation Center on Steiner between Post and Geary
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from newsstands at the following locations:
San Francisco Chronicle:
Northwest corner of Fillmore and Post
Southwest corner of Haight and Clayton
Onion:
Southeast corner of Oak and Broderick

In Memoriams

Ling Ding Lee - Supervisor Peskin
Isabel Casciato - Supervisor Elsbernd

ADJOURNMENT

There being no further business the Board adjourned at the hour of 4:00 p.m.
Angela Calvillo, Clerk of the Board
N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.
Approved by the Board of Supervisors on April 22, 2008.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee. Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site /bdsupvrs_index.asp?id=4383For information, call (415) 554-5184. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7719

Disability access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.
In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance
Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

GOVERNMENT
DOCUMENTS DEPT

JAN - 9 2009

SAN FRANCISCO
PUBLIC LIBRARY

April 08, 2008

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

Tuesday, April 8, 2008

2:00 PM

Legislative Chamber - Second Floor

Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present:	*Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*
Members Excused:	*None.*
Members Absent:	*None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:04 p.m.
On the call of the roll all members were present.

APPROVAL OF MEETING MINUTES

Supervisor Maxwell, seconded by Supervisor Elsbernd, moved to approve the March 18, 2008 minutes. The motion carried by the following

vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

080238 [Appropriating $261,757,569 of San Francisco Water Revenue Bonds for the San Francisco Public Utilities Commission Water System Improvement Program for Fiscal Year 2007-08] **Mayor**

Ordinance appropriating $257,205,000 of San Francisco Water Revenue Bonds, 2006 Series A, and deappropriating $4,552,569 of Sunol Valley Water System Improvement Projects to support various projects under the Water System Improvement Program (WSIP) in the Public Utilities Commission for FY 2007-08.

(Fiscal Impact.)

Enacted Number: 53-08

FINALLY PASSED

Recommendation of the City Operations and Neighborhood Services Committee

080089	**[Suspending Health Code Sections 34.4 and 34.6 of the Healthy Products, Healthy Children Ordinance]**	**Supervisor Alioto-Pier**

Ordinance amending the San Francisco Health Code by adding Section 34.10, to suspend Sections 34.4 and 34.6 of the Healthy Products, Healthy Children Ordinance.

Enacted Number: 61-08

FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee

080351	**[Changing the official sidewalk width - Mission Street]**	**Mayor**

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1578 to change the official sidewalk width on the north side of Mission Street west of 3rd Street; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change; and approving a public access easement for a portion of Jessie Square.

Enacted Number: 65-08

FINALLY PASSED

Recommendation of the Rules Committee

080135 [Settlement of Lawsuit - Mark Chambers]

Ordinance authorizing settlement of the class action lawsuit entitled Chambers v. City and County of San Francisco, filed on October 11, 2006 in the United States District Court for the Northern District of California, Case No. C06-06346 WHA. Pursuant to the proposed settlement, the City will enhance community-based housing and services for residents of Laguna Honda Hospital and for other San Franciscans who would benefit from long-term community-based care. (City Attorney)

Enacted Number: 62-08

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Vetoed by the Mayor

080196	**[Appropriating $246,000 of General Fund Reserve to the Human Resources Department to fund the Workers' Compensation Clinic at San Francisco General Hospital]**	**Supervisors Mirkarimi, Ammiano, Daly**

Ordinance appropriating $246,000 from the General

Fund Reserve to the Human Resources Department to fund the Workers' Compensation Clinic at San Francisco General Hospital for Fiscal Year 2007-2008.
(Supervisors Elsbernd and Chu dissented in committee.) (Fiscal Impact.)

Enacted Number:	63-08

FINALLY PASSED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Chu, Elsbernd

Motion to override the Mayor's Veto passed, and approve file No. 080196 by the following vote:
Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Chu, Elsbernd

NEW BUSINESS

Recommendations of the Budget and Finance Committee

080299 [Airport Concession Lease with Pacific Gateway Concessions, LLC]

Resolution approving the Boarding Area "E" Candy Kiosk Lease between Pacific Gateway Concessions, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Enacted Number: 169-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080371 [Department of Human Resources contract for implementation of services]

Resolution approving the award and execution of a $13,563,250 29-month contract by the City and County of San Francisco, through its Department of Human Resources, to CIBER, Inc., for implementation services to integrate the City's human resources and payroll functions. (Human Resources Department)

(Supervisors Daly and Mirkarimi dissented in committee.)

Enacted Number: 168-08

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 2 - Daly, Mirkarimi

Recommendations of the Land Use and Economic Development Committee

Supervisor Dufty Excused From Voting

Supervisor Chu, seconded by Supervisor McGoldrick, moved to excuse Supervisor Dufty from voting on File Nos. 071001, 071002, and 080319. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

071001 [Zoning Map Amendments Associated with the Laguna, Haight, Buchanan and Hermann Streets Special Use District] **Supervisor Ammiano**

Ordinance amending Section Maps 7, 7H and 7SU of the Zoning Map of the City and County of San Francisco for the property described as Assessor's Blocks 857 and portions of Assessor's Block 870, bounded by Laguna, Buchanan, Haight and Hermann Streets, from P (Public) to either NC-3 (Moderate-Scale Neighborhood Commercial District)

or RM-3 (Residential, Mixed Districts, Medium Density) and mapping the Laguna, Haight, Buchanan and Hermann Streets Special Use District; adopting findings, including findings under the California Environmental Quality Act.
(No Economic Impact)

04/08/08 - Amended on page 2, line 6, after the words "Quality Act Findings," by adding the following "and dated April 8, 2008"; further amended on page 2, line 7, by replacing "File 080211" with "File 071001".

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

071002	**[Laguna, Haight, Buchanan and Hermann Streets Special Use District]**	**Supervisors Mirkarimi, Ammiano**

Ordinance approving the Laguna, Haight, Buchanan, and Hermann Streets Special Use District (SUD) by amending the San Francisco Planning Code by adding Section 249.32 to create a new SUD bounded by Laguna, Haight, Buchanan and Hermann Streets (Assessor's Blocks 857 and portions of Assessor's Block 870) to permit a mixed-use project at the former UC Berkeley Extension property; and adopting findings, including findings under the California Environmental Quality Act.
(No Economic Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

Supervisors Daly and Dufty Excused From Voting

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved to excuse Supervisors Daly and Dufty from voting on File Nos. 071157 and 071159. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 2 - Daly, Dufty

071157 [Planning Code Amendments to Supervisors

implement the Market and Octavia Area Plan]	**Mirkarimi, McGoldrick**

Ordinance amending the San Francisco Planning Code to implement the Market and Octavia Area Plan of the General Plan by amending Section 102.5 (District); Section 121.1 (Development on Large Lots, Neighborhood Commercial Districts); Section 121.2 (Use Size Limits (Non-Residential), Neighborhood Commercial Districts); Section 124 (Basic Floor Area Ratio); Section 132 (Front Setback); Section 134 (Rear Yards); Section 135 (Usable Open Space For Dwelling Units and Group Housing); Section 144 (Treatment of Ground Story On Street Frontages); Section 145.1 (Street Frontages, Neighborhood Commercial Districts); Section 145.4 (Street Frontages Downtown and Mixed-Use Districts); Section 151.1 (Schedule of Required Off-Street Parking Spaces); Section 152. (Schedule of Required Off-Street Freight Loading Spaces in Districts Other Than C-3 or South of Market); Section 153 (Rules for Calculation of Required Spaces); Section 154 (Minimum dimensions for required off-street parking, freight loading and service vehicle spaces); Section 155 (General Standards as to Location and Arrangement of Off-Street Parking, Freight Loading and Service Vehicle Facilities); Section 156 (Parking Lots); Section 166 (Requirements for Provision of Car-Share Parking Spaces); Section 167 (Parking Costs Separated from Housing Costs in New Residential Buildings); Section 201 (Classes of Use Districts); Section 207.1. (Rules For Calculation Of

Dwelling Unit Densities); Section 207.4 (Density of Dwelling Units in Neighborhood Commercial Districts); Section 208 (Density Limitations for Group Housing); Section 209.1-209.9 (Uses Permitted in RTO Districts); Section 234.2 (Requiring CU Authorization for specified uses in P Districts within the Market and Octavia Neighborhood Area); Section 253 (Review of Proposed Buildings and Structures Exceeding a Height of 40 Feet in R Districts); Section 270 (Bulk Limits: Measurement); Section 303 (Conditional Uses: Determination); Section 304 (Planned Unit Developments: Criteria and Limitations); Section 311 (Residential Permit Review Procedures for RH and RM Districts: Applicability); Section 315 (Inclusionary Housing requirements) including adding a fee on new residential development in the Plan Area in addition to the existing inclusionary housing requirements in a per square foot amount of $8 in the Van Ness Market Special Use District, $4 in the Neighborhood Commercial Transit (NCT) district, and $0 in the Transit-Oriented Residential (RTO) district; Section 316 (Procedures for Conditional Use Authorization in Neighborhood Commercial and South of Market Districts and for Live/Work Units in RH, RM, and RTO Districts); Section 603 (Exempted Signs); Section 606 (Residential Districts); Section 702.1 (Neighborhood Commercial Use Districts); Section 720.1 (Hayes-Gough Neighborhood Commercial Transit District) to conform these sections with the new VNMDR-SUD, NCT and RTO district controls; and adding new zoning districts and a new special use district including Section 121.5 to establish controls for Development on Large Lots in Residential Districts; Section 121.6 to restrict lot mergers in residential districts and on pedestrian-oriented streets; Section 158.1 related to Non-accessory Parking Garages in NCT and RTO Districts and the Van Ness and Market Downtown Residential Special Use District; Section

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 2 - Daly, Dufty

Ordinance amending the San Francisco Planning Code to implement the Market and Octavia Area Plan of the General Plan by amending Section 102.5 (District); Section 121.1 (Development on Large Lots, Neighborhood Commercial Districts); Section 121.2 (Use Size Limits (Non-Residential), Neighborhood Commercial Districts); Section 124 (Basic Floor Area Ratio); Section 132 (Front Setback); Section 134 (Rear Yards); Section 135 (Usable Open Space For Dwelling Units and Group Housing); Section 144 (Treatment of Ground Story On Street Frontages); Section 145.1 (Street Frontages, Neighborhood Commercial Districts); Section 145.4 (Street

Frontages Downtown and Mixed-Use Districts); Section 151.1 (Schedule of Required Off-Street Parking Spaces); Section 152. (Schedule of Required Off-Street Freight Loading Spaces in Districts Other Than C-3 or South of Market); Section 153 (Rules for Calculation of Required Spaces); Section 154 (Minimum dimensions for required off-street parking, freight loading and service vehicle spaces); Section 155 (General Standards as to Location and Arrangement of Off-Street Parking, Freight Loading and Service Vehicle Facilities); Section 156 (Parking Lots); Section 166 (Requirements for Provision of Car-Share Parking Spaces); Section 167 (Parking Costs Separated from Housing Costs in New Residential Buildings); Section 201 (Classes of Use Districts); Section 207.1. (Rules For Calculation Of Dwelling Unit Densities); Section 207.4 (Density of Dwelling Units in Neighborhood Commercial Districts); Section 208 (Density Limitations for Group Housing); Section 209.1-209.9 (Uses Permitted in RTO Districts); Section 234.2 (Requiring CU Authorization for specified uses in P Districts within the Market and Octavia Neighborhood Area); Section 253 (Review of Proposed Buildings and Structures Exceeding a Height of 40 Feet in R Districts); Section 270 (Bulk Limits: Measurement); Section 303 (Conditional Uses: Determination); Section 304 (Planned Unit Developments: Criteria and Limitations); Section 311 (Residential Permit Review Procedures for RH and RM Districts: Applicability); Section 315 (Inclusionary Housing requirements) including adding a fee on new residential development in the Plan Area in addition to the existing inclusionary housing requirements in a per square foot amount of $8 in the Van Ness Market Special Use District, $4 in the Neighborhood Commercial Transit (NCT) district, and $0 in the Transit-Oriented Residential (RTO) district; Section 316 (Procedures for Conditional Use Authorization in Neighborhood Commercial and South of Market Districts and for Live/Work Units in RH, RM, and RTO Districts); Section 603 (Exempted Signs); Section 606 (Residential Districts); Section 702.1 (Neighborhood Commercial Use Districts); Section 720.1 (Hayes-Gough Neighborhood Commercial Transit District) to conform these sections with the new VNMDR-SUD, NCT and RTO district controls; and adding new zoning districts and a new special use district including Section 121.5 to establish controls for Development on Large Lots in Residential Districts; Section 121.6 to restrict lot mergers in residential districts and on pedestrian-oriented streets; Section 158.1 related to Non-accessory Parking Garages in NCT and RTO Districts and the Van Ness and Market Downtown Residential Special Use District; Section 206.4 to establish the Transit-Oriented Residential District (RTO); Section 207.6 related to Required Minimum Dwelling Unit Mix and Unit Subdivision Restrictions in RTO and NCT Districts; Section 207.7 relating to Restrictions on Demolition, Conversion, and Merger of Existing Dwelling Units in RTO and NCT Districts; Section 230 establishing Limited Corner Commercial Uses in RTO Districts; Section 249.33 to establish the Van Ness and Market Downtown Residential Special Use District (VNMDR-SUD) including providing that projects in the VNMDR-SUD may exceed allowable Floor Area Ratio (FAR) up to a certain ratio by paying $30 per gross square foot into the Citywide Affordable Housing Fund but not by acquiring Transferable Development Rights (TDRs); and providing that projects may further exceed FAR limits above a site FAR of 9:1 by paying $15 per additional gross square foot into the Van Ness and Market Neighborhood Infrastructure Fund; Section 249.34 to establish the Fulton Street Grocery Store Special Use District; Section 261.1 related to Additional Height Limits for Narrow Streets and Alleys in RTO and NCT Districts; Section 263.18 creating a Special Height Exception: Additional Five Feet Height for Ground Floor uses in NCT 40-X and 50-X Height and Bulk Districts; Section 263.20 Special Height Exceptions: Fulton Street Grocery Store Special Use District 40-X/50-X Height District; Sections 326-326.8 establishing the Market and Octavia Community Improvements Fee and Fund including community improvement fees of $10 per square foot for certain new residential and $4 per square foot for certain new commercial developments, and a springing fee for transit and parking impacts with a maximum fee of $9 per square foot for transit impacts from residential development and $5 per square foot for impacts from new parking spaces; Sections 341-341.4 establishing a Better Neighborhoods Area Plan Monitoring Program; Sections 731 and 731.1 creating an NCT-3 Moderate-Scale Neighborhood Commercial Transit District; Sections 732 and 732.1 creating the Upper Market Street Neighborhood Commercial Transit

District; adding an uncodified Section 4 adopting procedures for treatment of historic resources in the Plan Area; and adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 2 - Daly, Dufty

071159	**[Zoning Map Amendment in connection with the Market and Octavia Area Plan]**	**Supervisor Mirkarimi**

Ordinance amending Zoning Map Sheets 2, 2H, 2SU and 7, 7H, and 7SU of the City and County of San Francisco Planning Code to eliminate use districts and height and bulk districts within the Market and Octavia Plan Area; replacing them with revised use districts, height and bulk districts, and special use districts, consistent with those proposed in the Market and Octavia Area Plan; and making various findings, including CEQA findings and findings of consistency with the General Plan and Planning Code Section 101.1.
(Economic Impact)

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by

the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 2 - Daly, Dufty

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 2 - Daly, Dufty

071464 [Zoning - Ordinance creating the Excelsior Alcohol Restricted Use District] **Supervisors Sandoval, Peskin**

Ordinance amending the San Francisco Planning Code by adding Section 785 to create an Excelsior Alcohol Restricted Use District prohibiting new off-sale liquor establishments and providing for a five-year sunset provision; amending Sectional Maps SU 11 and SU 12 of the Zoning Map of the City and County of San Francisco to establish the boundaries of the Excelsior Alcohol Restricted Use District, which generally consist of the blocks and lots fronting both sides of Mission Street from Silver Avenue to the Daly City border; adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080237 [Zoning -Urgency Ordinance imposing an interim zoning moratorium on enterprises that sell tobacco paraphernalia] **Supervisor Sandoval**

Urgency Ordinance imposing an interim zoning moratorium to temporarily prohibit the establishment of new enterprises, subject to specified exceptions, that sell tobacco paraphernalia, as defined, in all Commercial, Mixed Use and Industrial districts for 45 days and making findings, including findings of consistency with the Priority Policies of Planning Code Section 101.1 and environmental findings.

Enacted Number: 64-08

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080319 [General Plan Amendments for Assessors Block 857 and portions of Assessors Block 870 **Supervisors Mirkarimi, Ammiano**

bound by Laguna, Haight, Buchanan and Hermann Streets]

Ordinance amending the Market and Octavia Area Plan of the San Francisco General Plan to (1) reclassify the Use District on Block 857 from Public to Moderate Density Residential and reclassify the Use District on Block 870, Lots 1, 2 and the northern portion of Lot 3 from Public to Moderate Density Neighborhood Commercial; (2) amending the Market and Octavia Area Plan of the San Francisco General Plan to reclassify the Height District for Block 857, Lot 1A from 40 feet to 50 feet and to reclassify the Height District for Block 870, Lots and 1 and 2 from 80 feet to 85 feet and Block 870, Lot 3 from 40 feet to 50 feet; (3) amending the Generalized Residential Land Use Plan of the 1990 Residence Element, the 2004 Housing Element, and of the Land Use Index to reclassify the generalized land use of Block 857 from Public/Open Space to Residential and of Block 870 from Public/Open Space to Mixed Use, predominantly Commercial/Industrial; (4) amending the Residential Density Plan of the 1990 Residence Element, the 2004 Housing Element, and of the Land Use Index to reclassify the residential density of Blocks 857 and 870 from Public and Heavy Industrial Areas to Moderately High Density; (5) adopting findings pursuant to the California Environmental Quality Act; and (6) adopting findings that the General Plan amendments are consistent with the eight priority policies of Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

080210 **[Stipulation of Conditional Use authorization or Mandatory Discretionary Review of any permit application to remove dwelling units, where the Planning Code does not already require**

Ordinance amending the Planning Code by adding Section 317 to stipulate Conditional Use or Mandatory Discretionary Review of any Building Permit applications that would eliminate existing dwelling units through mergers, conversions, or demolitions of residential units, and requiring certain affordability and soundness findings, with certain administrative exceptions allowed; making findings as to the need to preserve affordable housing in San Francisco, environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan. (Planning Department)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin,

Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Supervisor Peskin introduced, welcomed and presented Certificates of Honor to Jeff Gunderson, Stephen Cartright, John Conway, Thomas Hunt, and Alan Brooks in recognition of their efforts in saving the life of a homeless man.
Supervisor Ammiano introduced, welcomed and presented a Certificate of Honor to the volunteers of Prisoners Literature Project.
Supervisors Elsbernd and Maxwell introduced, welcomed and presented Certificates of Honor to members of the Sacred Heart Cathedral Preparatory Girls Basketball Team and their coach for winning the California State Basketball Championship.

COMMITTEE REPORTS

080263 [Lease of Real Property at 1740 Cesar Chavez Street]

Resolution authorizing a new lease of approximately 7,680 square feet at 1740 Cesar Chavez Street for the Department of Human Resources (DHR) for a term of five years. (Real Estate Department) (Fiscal Impact.)

Enacted Number: 147-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the *total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.*

Abdullah Megaheed; expressed concern with issues relating to the homeless
James Chaffee; expressed concern with issues relating to the SF Public Library
Male speaker; expressed concern with issues relating to human rights
Douglas Holland; expressed concern with issues relating to the homeless
Eugene Gordon Jr.; expressed concern with issues relating to human rights
Male speaker; expressed concern with various issues
Richard Capri, expressed concern with various issues
Mr. Saford; expressed concern with issues relating to the homeless
Espanola Jackson; expressed concern with issues relating to environmental pollution
Mr. Ernest; expressed concern with various issues
Male speaker; expressed concern with issues relating to fuel and pollution

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

080448 [Accept-Expend Grant - Juvenile Probation Department - $62,500] **Supervisor Elsbernd**

Resolution authorizing the Juvenile Probation Department to accept and expend a grant in the amount of $62,500 from the Annie E. Casey Foundation to support juvenile justice reform activities at the Juvenile Probation Department.

Enacted Number: 166-08

ADOPTED

080449 [Commending Marc Randall] **Supervisor Chu**

Resolution commending Marc Randall for his service and leadership in San Francisco through the Recreation and Park Department.

Enacted Number: 167-08

ADOPTED

080450 **[Commending the San Francisco Planning and Urban Research Association on the groundbreaking of SPUR's new Urban Center]** **Supervisor Sandoval**

Resolution commending the San Francisco Planning and Urban Research Association on the groundbreaking of SPUR's new Urban Center.

Enacted Number: 170-08

ADOPTED

080426 **[Final Map - 4121 Cesar Chavez Street]**

Motion approving Final Map 4812, a 6 Unit Residential Condominium Project, located at 4121 Cesar Chavez Street being a subdivision of Lot 052 in Assessors Block No. 6581 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department) (DPW Order No. 177,474; District 8.)

Enacted Number: M08-64

APPROVED

080427 **[Final Map - 2545 Judah Street]**

Motion approving Final Map 4628, a Fifteen Unit Residential and Six Unit Commercial Condominium Project, located at 2545 Judah Street being a subdivision of Lot 051 in Assessors Block No. 1823 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)
(DPW Order No. 177,473; District 4.)

Enacted Number: M08-65

APPROVED

080428 [Final Map - 1798 19th Avenue]

Motion approving Final Map 1747, a Three Residential Unit and Two Commercial Unit Mixed-Use Condominium Project, located at 1798 19th Avenue being a subdivision of Lot 015 in Assessors Block No. 2031 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)
(DPW Order No. 177,472; District 7.)

Enacted Number: M08-66

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

080477 [Waiver of temporary street space occupancy fee on May 17, 2008 for Small Business Week Sidewalk Sale] **Supervisor Dufty**

Ordinance waiving the fee in Public Works Code Section 724.1(b) for temporary street space occupancy in certain sections of the City on Saturday, May 17, 2008 as part of Small Business Week.

4/8/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080478 [Height Map Amendment - Rezoning Block 5323, Lots 13, 14, 14A, 15, 15A And 15B On Third Street And Mendell Street, From A 105-A Height And Bulk Limit To A 55-X Height And Bulk Limit] **Supervisor Maxwell**

Ordinance amending the San Francisco Planning Code by amending Height Map HT 10 of the Zoning Map of the City and County of San Francisco to change height and bulk limit for Block 5323, lots 13, 14, 14A, 15, 15A and 15B, located at the intersection of Third Street and Mendell Street, from 105-A to 55-X; adopting findings, including environmental findings and findings of consistency the General Plan and the Priority Policies of Planning Code Section 101.1.

4/8/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/8/2008.

080479 [Creating a Public Services Advisory Board] **Supervisor Mirkarimi**

Ordinance creating a Public Services Advisory Board, comprised of eleven voting members appointed by the Board of Supervisors; requiring the advisory board within eighteen months of its initial meeting to submit a report to the Board of Supervisors on matters pertaining to the performance of public services by private entities; authorizing the advisory board to submit other reports or recommendations to the Board of Supervisors and to communicate with the Board of Supervisors, other government entities, and the public on matters pertaining to public services; and providing for the sunsetting of the advisory board in two years.

4/8/08, RECEIVED AND ASSIGNED to Rules Committee.

080480	**[Regulation of Newsracks: Amendment of Space Allocation Provisions of Fixed Pedestal Newsrack Program]**	**Supervisor Peskin**

Ordinance amending Section 184.12 of the San Francisco Public Works Code to provide that priority in allocation of space in fixed pedestal newsracks shall be given to publications that were historically distributed from freestanding newsracks at the locations of the fixed pedestal newsracks and that are published one or more times per week.

4/8/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/8/2008.

080481 [Settlement of Lawsuits - M-J SF Investments, LLC - $5,163] **Supervisor Peskin**

Ordinance authorizing settlement of two lawsuits filed by M-J SF Investments, LLC, against the City and County of San Francisco for $5,163 in costs to the City and County of San Francisco; the first lawsuit was filed on April 6, 2006, in San Francisco Superior Court, Case No. CGC-06-451001; entitled M-J SF Investments, LLC, et al., v. City and County of San Francisco, et al; the second lawsuit was filed on September 21, 2007, in San Francisco Superior Court, Case No. CPF-07-507496; entitled M-J SF Investments, LLC, et al., v. City and County of San Francisco, et al; other material terms of said settlement are set forth in the Settlement Agreement and Release of Claims contained in Board of Supervisors File No. 080481.

4/8/08, RECEIVED AND ASSIGNED to Rules Committee.

080482 [Public Employment - Various City Departments] **Supervisor Peskin**

Draft ordinance amending Ordinance No. 175-07 (Annual Salary Ordinance FY 2007-2008) to reflect the deletion of various positions with annual salaries exceeding $150,000 in the City Attorney's Office, the District Attorney's Office, the Department of Public Works, the Department of Telecommunications and Information Services, and

the Public Defender's Office.
4/8/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 04/15/08 - Referred to the City Attorney for approval as to form.

080483 [Preference in Inclusionary Housing for Certificate of Preference Holders] **Mayor**

Ordinance amending Planning Code Sections 315.4 and 315.5 to provide that individuals who hold certificates of preference from the San Francisco Redevelopment Agency shall receive preference for thirty percent (30%) of the on- and off-site units generated by the Residential Inclusionary Affordable Housing Program; and making findings including findings under the California Environmental Quality Act.
4/8/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/8/2008.

Resolutions

080475 [Presidio Neighborhood Representative Work Group] **Supervisor Alioto-Pier**

Resolution re-establishing the Presidio Neighborhood Representative Work Group to be comprised of representatives from affected neighborhoods and City Departments.

4/8/08, RECEIVED AND ASSIGNED to Rules Committee.

080476 [Grant funds to support nutrition services - $343,000] Supervisor Alioto-Pier

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend a three-year grant in the amount of $343,000 from the Vitamin Cases Consumer Settlement Fund to support the "Women's Nutritional Awareness Project," for the period of July 1, 2008 through June 30, 2011.

4/8/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080484 [Sublease of Real Property at 555 Polk Street] Mayor

Resolution authorizing the sublease of 9,000 square feet of office space in the building located at 555 Polk Street for the Community Justice Center through the Department of Public Health.

(Fiscal Impact.)

4/8/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080485	**[General Obligation Refunding Bonds]**	**Mayor**

Resolution approving the form of and authorizing the distribution of a preliminary official statement relating to the issuance of City and County of San Francisco General Obligation Refunding Bonds and authorizing the preparation, execution and delivery of a final official statement; acknowledging the receipt of certain information relating to such Refunding Bonds; ratifying the approvals and terms and conditions of a previous resolution; and related matters.

4/8/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080486	**[Recognizing San Jose State University for bringing awareness to the United States Food and Drug Administration's discriminatory policy on blood donations which singles out gay men]**	**Supervisors Sandoval, Ammiano, Dufty**

Resolution recognizing San Jose State University for bringing awareness to the United States Food and

Drug Administration's discriminatory policy on blood donations which singles out gay men.

4/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080487 **[Urging the United States Congress to save the Commodity Supplemental Food Program (CSFP), restore the thousands of people cut from the program since 2003, and expand the program to meet the** **Supervisor Dufty**

Resolution urging the United States Congress to save the Commodity Supplemental Food Program (CSFP), restore the thousands of people cut from CSFP since 2003, and expand the program to meet the increasing need.

4/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080489 **[Grant funds to support HIV prevention activities]** **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH), to enter retroactively into an agreement in the amount of

$44,408 with the Public Health Foundation Enterprises (PHFE), the primary contractor, to fund a project entitled "Reducing Sexual Risk among Episodic Substance Using MSM;" for the period of September 30, 2007 through September 29, 2008.

4/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080490	**[Urging the California Legislature to pass Senate Bill 1066]**	**Supervisors Ammiano, Dufty**

Resolution urging the California Legislature to pass Senate Bill 1066 and instructing the City's lobbyist to work toward this goal. This Bill eliminates discrimination based on age and sexual orientation, increases access to employer-provided health insurance for opposite-sex couples, and brings uniformity to domestic partner laws in California.

4/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080491	**[Supporting an independent analysis of the SFPUC's proposed "Combustion Turbine Peaker Project"]**	**Supervisor Alioto-Pier**

Resolution supporting a request for an independent analysis of the SFPUC's proposed "Combustion Turbine Peaker Project" to update the Cal-ISO/SFPUC 2004 Action Plan for San Francisco to a 2008 Action Plan that will include the 400 Megawatts provided by Transbay Cable, improvements in renewable energy technologies, municipal solar projects, transmission and reconductering upgrades and demand response.

4/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080492 [Accept-Expend State Grant - Chief of Police - $65,000] **Supervisor Elsbernd**

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend a grant in the amount of $65,000.00 (Sixty-Five Thousand dollars) from the California Department of Boating and Waterways to purchase miscellaneous boating equipment for use in boating safety and law enforcement activities.

4/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080493 [National Crime Victims' Rights Supervisor

Week - April 13-19, 2008] **Maxwell**

Resolution proclaiming the week of April 13-19, 2008, as National Crime Victims' Rights Week.

4/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080494 [1858 Black Exodus to Victoria, British Columbia] **Supervisor Maxwell**

Resolution expressing profound regret for the 1858 exodus of hundreds of Black residents of San Francisco to Victoria, British Columbia because of the legalized brutality and injustices that were visited upon them based upon such legislation as the 1850 Civil Practices Act, that disqualified Blacks from testifying against whites, the Fugitive Slave Act of 1852 and the proposed Assembly Bill 339 in 1858 that was "An Act to restrict and prevent the immigration to and residence in the State of Negroes and mulattos."

4/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080495 [Extending the Asthma Task Force Membership to June 30, 2011] **Supervisor Maxwell**

Resolution extending the Asthma Task Force Membership to June 30, 2011.

4/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080496 **[Supporting a fiscal feasibility study of the SFPUC's proposed "Combustion Turbine Peaker Project"]** **Supervisor Alioto-Pier**

Resolution supporting a fiscal feasibility study of the SFPUC's proposed "Combustion Turbine Peaker Project" as required under Section 29.1(c)(4) of the Administrative Code.

4/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Hearings

080469 **[Presidio Fire Station]** **Supervisor Alioto-Pier**

Hearing on the Presidio Fire Station. The hearing will examine the impact of current staffing levels at the Presidio Fire Station on the San Francisco Fire

Department.
4/8/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080470 [Cristo Rey Network] **Supervisor Alioto-Pier**

Hearing on the Cristo Rey Network. The Cristo Rey Network is a national association of high schools that provide quality, Catholic, college preparatory education to urban young people who live in communities with limited educational options. The hearing would explore the benefits of the Cristo Rey Program with the goal of increasing its presence in San Francisco.
4/8/08, RECEIVED AND ASSIGNED to City and School District Select Committee.

080471 [Protests on the Golden Gate Bridge] **Supervisor Alioto-Pier**

Hearing on the protests on the Golden Gate Bridge. The hearing will examine how the protesters got on and climbed the cables on the Golden Gate Bridge on Monday, April 7, 2008.
4/8/08, RECEIVED AND ASSIGNED to Rules Committee.

080472 **[San Francisco County Transportation Authority]** **Supervisors Elsbernd, Chu**

Hearing on the San Francisco County Transportation Authority's 19th Avenue/Park Presidio Boulevard Transportation Plan Final Report.

4/8/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080473 **[Status Report on the HopeSF Program]** **Supervisor Maxwell**

Hearing to consider an update on the progress and implementation of the HopeSF Program, established to rebuild distressed public housing sites in San Francisco.

4/8/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

080332 **[Security Services Contract Approval - Guardsmark LLC- $21,100,370]**

Resolution approving the contract between the City and County of San Francisco and the Guardsmark LLC to provide security services to the Human Services Agency for the period from May 1, 2008 to April 30, 2013, in the amount of $21,100,370. (Human Services Department)

3/4/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

3/25/08, ASSIGNED to Budget and Finance Committee.

3/25/08, SUBSTITUTED. Department of Human Services submitted a substitute resolution bearing new title.

Requests Granted

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from the following locations:
Phone Switch Boxes
Northwest corner of Haight and Steiner
Northeast corner of Octavia and Ivy
Southeast corner of Scott and Haight
Southeast corner of Buchanan and Fell
City Trash Cans
Southwest corner of Buchanan and Hayes
Mailboxes

Hayes and Laguna
Eddy and Steiner
Haight and Octavia
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of repairing potholes at the following locations:
Crosswalk collapsing on Fillmore and Waller (South side of Fillmore Street)
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from utility poles at the following locations:
Wood
Southwest corner of Ivy and Gough
Southeast corner of Octavia and Gough
Southeast corner of Fell and Buchanan
Northeast corner of Laguna and Lily
Tree on corner of Fell and Grove
490 Hayes
8th and Irving
Bus Shelters
Northeast corner of Buena Vista and Haight
Haight and Divisadero, two shelters
Stanyan and Oak
Fillmore and McAllister
Oak and Hayes
Haight and Fillmore
Haight and Buchanan
Crosswalks and Stop Signs

Fillmore and Waller (crosswalk and stop signs)
Fillmore and Haight (stop signs)
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from the public property located at the following locations:
Emergency Boxes
Northeast corner of Page and Buchanan
Southeast corner of Page and Fillmore
Southeast corner of Page and Steiner
Southwest corner of Steiner and Hayes
Southwest corner of Divisadero and Oak
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from the following private property locations:
Haight and Scott (The Vanguard Real Estate Business)
546 Haight
799 Haight
498 Haight
428 Haight
226 Haight
104 Haight
696 Haight
839 Haight
425-431 Buchanan
383 Grove
385 Grove
432 Grove

200 Octavia
626 Fell
Geary and Steiner (the wall on the southwest corner of the walking bride)
451 Hayes
525 Gough
355 Laguna
425-427 Laguna
600 Fell
636 Laguna
363-365 Grove
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from newsstands at the following locations:
San Francisco Bay Guardian
Southeast corner of Laguna and Page
Northwest corner of Fillmore and Geary
Southeast corner of Fillmore and Haight
In front of 497 Oak Street
San Francisco Chronicle
Southeast corner of Laguna and Page
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Irving and 9th Avenue
Irving and 7th Avenue
Examiner
Northwest corner of Fillmore and Hayes
Northwest corner of Hayes and Gough
Southeast corner of Haight and Fillmore
SF Daily

Northwest corner of Hayes and Gough
City Star
Northwest corner of Hayes and Gough
Onion
Northeast corner of Fillmore and Waller
Northwest corner of Hayes and Gough
Southeast corner of Divisadero and Page
SF Weekly
Southwest corner of Hayes and Webster
Southeast corner of Masonic and Haight
Southeast corner of Haight and Fillmore
From: Supervisor Alioto-Pier
To: Chief of Fire Department
Requesting/Inquiring: The jurisdiction of the fire station in the Presidio, Ft. Mason and Ft. Baker. The Presidio Fire Station is currently understaffed. As a result the SFFD is often called on to assist the Presidio Fire Department in those locations.
I respectfully request the SFFD provide information on the frequency and cost of providing such assistance since the creation of the Presidio Trust.

In Memoriam

Kathleen Bolton - Supervisors Dufty, Ammiano, Chu
Ken Emery - Supervisor Dufty
Luis "Al" Solari - Entire Board

ADJOURNMENT

There being no further business the Board adjourned at the hour of 3:40 p.m.
Angela Calvillo, Clerk of the Board
N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.
Approved by the Board of Supervisors on May 13, 2008.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee. Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. USING LAPTOP COMPUTERS

FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383For information, call (415) 554-5184. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7719

Disability access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.
The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations).

MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the

Internet, at http://www.sfgov.org/sunshine

- LISTEN
- TEXT ONLY
- PRINT
- A
- A
- A

April 15, 2008

GOVERNMENT
DOCUMENTS DEPT

JAN - 9 2009

SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

Tuesday, April 15, 2008

2:00 PM

Legislative Chamber - Second Floor

Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:04 p.m.
On the call of the roll all members were present.

APPROVAL OF MEETING MINUTES

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved to approve the minutes of March 25, 2008. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

CONSENT AGENDA

Recommendation of the City Operations and Neighborhood Services Committee

080337 [Authorizing the Sheriff to execute contracts with the State]

Resolution authorizing the Sheriff's Department to execute contracts with the California Department of Corrections and Rehabilitation (CDCR) for the care and confinement of inmates/parolees while pending probable cause determination, revocation of parole or being returned to custody. (Sheriff)

Enacted Number: 180-08

ADOPTED

Recommendations of the Land Use and Economic Development Committee

071464 [Zoning - Ordinance creating the Excelsior Alcohol Restricted Use District] **Supervisors Sandoval, Peskin**

Ordinance amending the San Francisco Planning Code by adding Section 785 to create an Excelsior Alcohol Restricted Use District prohibiting new off-sale liquor establishments and providing for a five-year sunset provision; amending Sectional Maps SU 11 and SU 12 of the Zoning Map of the City and County of San Francisco to establish the boundaries of the Excelsior Alcohol Restricted Use District, which generally consist of the blocks and lots fronting both sides of Mission Street from Silver Avenue to the Daly City border; adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Enacted Number: 70-08

FINALLY PASSED

080210 [Stipulation of Conditional Use authorization or Mandatory Discretionary Review of any permit application to remove dwelling units, where the Planning Code does not already require

Ordinance amending the Planning Code by adding Section 317 to stipulate Conditional Use or Mandatory Discretionary Review of any Building Permit applications that would eliminate existing dwelling units through mergers, conversions, or demolitions of residential units, and requiring certain affordability and soundness findings, with certain administrative exceptions allowed; making findings as to the need to preserve affordable housing in San Francisco, environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan. (Planning Department)

Enacted Number: 69-08

FINALLY PASSED

Recommendations of the Rules Committee

080370 [Appointment - Shelter Monitoring Committee - Chris Callandrillo]

Motion appointing Chris Callandrillo, term ending November 23, 2008, to the Shelter Monitoring Committee.

Chris Callandrillo, succeeding Diana Valentine, resigned, seat 3, must have experience providing direct services to the homeless through a community setting, for the unexpired portion of a two-year term ending November 23, 2008.

Enacted Number: M08-68

APPROVED

080373 [Appointment - San Francisco

Fair Lending Working Group]

Motion appointing Jan Lynn Owgn, Leon Huntting, Heidi Mueller, Maeve Elise Brown, Kevin Stein, Ed Donaldson, Amanda Feinstein, Jon Ballesteros, Grace Mejia, Jane Duong, and Chris Oldag, terms ending July 1, 2009, to the San Francisco Fair Lending Working Group, residency requirement waived.

Jan Lynn Owgn, new appointment, seat 1, must be a representative of a financial institution/lending agency, for a term ending on July 1, 2009 (residency requirement waived). Leon Huntting, new appointment, seat 2, must be a representative of the mortgage broker industry, for a term ending on July 1, 2009 (residency requirement waived). Heidi Mueller, new appointment, seat 3, must be a representative of the real estate profession, for a term ending on July 1, 2009. Maeve Elise Brown, new appointment, seat 4, must be a representative of a community-based organization focusing on foreclosure counseling and legal assistance, for a term ending on July 1, 2009 (residency requirement waived). Kevin Stein, new appointment, seat 5, must be a representative of an advocacy organization, for a term ending on July 1, 2009. Ed Donaldson, new appointment, seat 6, must be a representative of any of the following categories: a financial institution/lending agency, the mortgage broker industry, the real estate profession, a community-based organization focusing on foreclosure counseling and legal assistance, or other advocacy organization, for a term ending on July 1,

2009. Amanda Feinstein, new appointment, seat 7, must be a representative of any of the following categories: a financial institution/lending agency, the mortgage broker industry, the real estate profession, a community-based organization focusing on foreclosure counseling and legal assistance, or other advocacy organization, for a term ending on July 1, 2009 (residency requirement waived). Jon Ballesteros, new appointment, seat 8, must be a representative of any of the following categories: a financial institution/lending agency, the mortgage broker industry, the real estate profession, a community-based organization focusing on foreclosure counseling and legal assistance, or other advocacy organization, for a term ending on July 1, 2009. Grace Mejia, new appointment, seat 9, must be a representative of any of the following categories: a financial institution/lending agency, the mortgage broker industry, the real estate profession, a community-based organization focusing on foreclosure counseling and legal assistance, or other advocacy organization, for a term ending on July 1, 2009 (residency requirement waived).

Enacted Number: M08-67

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Land Use and Economic Development Committee

Supervisor Dufty Excused From Voting

Supervisor Dufty previously excused from voting on File Nos. 071001, 071002, and 080319 at the Board meeting of 4/8/08

071001	**[Zoning Map Amendments Associated with the Laguna, Haight, Buchanan and Hermann Streets Special Use District]**	**Supervisor Ammiano**

Ordinance amending Section Maps 7, 7H and 7SU of the Zoning Map of the City and County of San Francisco for the property described as Assessor's Block 857 and portions of Assessor's Block 870, bounded by Laguna, Buchanan, Haight and Hermann Streets, from P (Public) to either NC-3 (Moderate-Scale Neighborhood Commercial District)

or RM-3 (Residential, Mixed Districts, Medium Density) and mapping the Laguna, Haight, Buchanan and Hermann Streets Special Use District; adopting findings, including findings under the California Environmental Quality Act.
(No Economic Impact)

Enacted Number: 67-08

FINALLY PASSED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

071002 [Laguna, Haight, Buchanan and Hermann Streets Special Use District] **Supervisors Mirkarimi, Ammiano**

Ordinance approving the Laguna, Haight, Buchanan, and Hermann Streets Special Use District (SUD) by amending the San Francisco Planning Code by adding Section 249.32 to create a new SUD bounded by Laguna, Haight, Buchanan and Hermann Streets (Assessor's Block 857 and portions of Assessor's Block 870) to permit a mixed-use project at the former UC Berkeley Extension property; and adopting findings, including findings under the California Environmental Quality Act.
(No Economic Impact)

Enacted Number: 68-08

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

080319 [General Plan Amendments for Assessors Block 857 and portions of Assessors Block 870 bound by Laguna, Haight, Buchanan and Hermann Streets]

Supervisors Mirkarimi, Ammiano

Ordinance amending the Market and Octavia Area Plan of the San Francisco General Plan to (1) reclassify the Use District on Block 857 from Public to Moderate Density Residential and reclassify the Use District on Block 870, Lots 1, 2 and the northern portion of Lot 3 from Public to Moderate Density Neighborhood Commercial; (2) amending the Market and Octavia Area Plan of the San Francisco General Plan to reclassify the Height District for Block 857, Lot 1A from 40 feet to 50 feet and to reclassify the Height District for Block 870, Lots and 1 and 2 from 80 feet to 85 feet and Block 870, Lot 3 from 40 feet to 50 feet; (3) amending the Generalized Residential Land Use Plan of the 1990 Residence Element, the 2004 Housing Element, and of the Land Use Index to reclassify the generalized land use of Block 857 from Public/Open Space to Residential and of Block 870 from Public/Open Space to Mixed Use, predominantly Commercial/Industrial; (4) amending the Residential Density Plan of the 1990 Residence Element, the 2004 Housing Element, and of the Land Use Index to reclassify the residential density of

Blocks 857 and 870 from Public and Heavy Industrial Areas to Moderately High Density; (5) adopting findings pursuant to the California Environmental Quality Act; and (6) adopting findings that the General Plan amendments are consistent with the eight priority policies of Planning Code Section 101.1.

Enacted Number: 66-08

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

Supervisors Daly and Dufty Excused From Voting

Supervisors Daly and Dufty previously excused from voting on File Nos. 071157 and 071159 at the Board meeting of 4/8/08

071157 [Planning Code Amendments to implement the Market and Octavia Area Plan] **Supervisors Mirkarimi, McGoldrick**

Ordinance amending the San Francisco Planning Code to implement the Market and Octavia Area Plan of the General Plan by amending Section 102.5 (District); Section 121.1 (Development on Large Lots, Neighborhood Commercial Districts); Section 121.2 (Use Size Limits (Non-Residential), Neighborhood Commercial Districts); Section 124 (Basic Floor Area Ratio); Section 132 (Front Setback); Section 134 (Rear Yards); Section 135 (Usable Open Space For Dwelling Units and Group Housing); Section 144 (Treatment of Ground Story On Street Frontages); Section 145.1 (Street Frontages, Neighborhood Commercial Districts); Section 145.4 (Street Frontages Downtown and Mixed-Use Districts); Section 151.1 (Schedule of Required Off-Street Parking Spaces); Section 152. (Schedule of Required Off-Street Freight Loading Spaces in Districts Other Than C-3 or South of Market); Section 153 (Rules for Calculation of Required Spaces); Section 154 (Minimum dimensions for required off-street parking, freight loading and service vehicle spaces); Section 155 (General Standards as to Location and Arrangement of Off-Street Parking, Freight Loading and Service Vehicle Facilities); Section 156 (Parking Lots); Section 166 (Requirements for Provision of Car-Share Parking Spaces); Section 167 (Parking Costs Separated from Housing Costs in New Residential Buildings); Section 201 (Classes of Use Districts); Section 207.1. (Rules For Calculation Of Dwelling Unit Densities); Section 207.4 (Density of Dwelling Units in Neighborhood Commercial Districts); Section 208 (Density Limitations for Group Housing); Section 209.1-209.9 (Uses Permitted in RTO Districts); Section 234.2 (Requiring CU Authorization for specified uses in P Districts within the Market and Octavia Neighborhood Area); Section 253 (Review of

Proposed Buildings and Structures Exceeding a Height of 40 Feet in R Districts); Section 270 (Bulk Limits: Measurement); Section 303 (Conditional Uses: Determination); Section 304 (Planned Unit Developments: Criteria and Limitations); Section 311 (Residential Permit Review Procedures for RH and RM Districts: Applicability); Section 315 (Inclusionary Housing requirements) including adding a fee on new residential development in the Plan Area in addition to the existing inclusionary housing requirements in a per square foot amount of $8 in the Van Ness Market Special Use District, $4 in the Neighborhood Commercial Transit (NCT) district, and $0 in the Transit-Oriented Residential (RTO) district; Section 316 (Procedures for Conditional Use Authorization in Neighborhood Commercial and South of Market Districts and for Live/Work Units in RH, RM, and RTO Districts); Section 603 (Exempted Signs); Section 606 (Residential Districts); Section 702.1 (Neighborhood Commercial Use Districts); Section 720.1 (Hayes-Gough Neighborhood Commercial Transit District) to conform these sections with the new VNMDR-SUD, NCT and RTO district controls; and adding new zoning districts and a new special use district including Section 121.5 to establish controls for Development on Large Lots in Residential Districts; Section 121.6 to restrict lot mergers in residential districts and on pedestrian-oriented streets; Section 158.1 related to Non-accessory Parking Garages in NCT and RTO Districts and the Van Ness and Market Downtown Residential Special Use District; Section

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 2 - Daly, Dufty

Ordinance amending the San Francisco Planning Code to implement the Market and Octavia Area Plan of the General Plan by amending Section 102.5 (District); Section 121.1 (Development on Large Lots, Neighborhood Commercial Districts); Section 121.2 (Use Size Limits (Non-Residential), Neighborhood Commercial Districts); Section 124 (Basic Floor Area Ratio); Section 132 (Front Setback); Section 134 (Rear Yards); Section 135 (Usable Open Space For Dwelling Units and Group Housing); Section 144 (Treatment of Ground Story On Street Frontages); Section 145.1 (Street Frontages, Neighborhood Commercial Districts); Section 145.4 (Street Frontages Downtown and Mixed-Use Districts); Section 151.1 (Schedule of Required Off-Street Parking Spaces); Section 152. (Schedule of Required Off-Street Freight Loading Spaces in Districts Other Than C-3 or South of Market); Section 153 (Rules for Calculation of Required Spaces); Section 154 (Minimum dimensions for required off-street parking, freight loading and service vehicle spaces); Section 155 (General Standards as to Location and Arrangement of Off-Street Parking, Freight Loading and Service Vehicle Facilities); Section 156 (Parking Lots); Section 166 (Requirements for Provision of Car-Share Parking Spaces); Section 167 (Parking Costs Separated from Housing Costs in New Residential Buildings); Section 201 (Classes of Use Districts); Section 207.1. (Rules For Calculation Of Dwelling Unit Densities); Section 207.4 (Density of Dwelling Units in Neighborhood Commercial Districts); Section 208 (Density Limitations for Group Housing); Section 209.1-209.9 (Uses Permitted in RTO Districts); Section 234.2 (Requiring CU Authorization for specified uses in P Districts within the Market and Octavia Neighborhood Area); Section 253 (Review of Proposed Buildings and Structures Exceeding a Height of 40 Feet in R Districts); Section 270 (Bulk Limits: Measurement); Section 303 (Conditional Uses: Determination); Section 304 (Planned Unit Developments: Criteria and Limitations); Section 311 (Residential Permit Review Procedures for RH and RM Districts: Applicability); Section 315 (Inclusionary Housing requirements) including adding a fee on new residential development in the Plan Area in addition to the existing inclusionary housing requirements in a per square foot amount of $8 in the Van Ness Market Special Use District, $4 in the Neighborhood Commercial Transit (NCT) district, and $0 in the Transit-Oriented Residential (RTO) district; Section 316 (Procedures for Conditional Use Authorization in Neighborhood Commercial and South of Market Districts and for Live/Work Units in RH, RM, and RTO Districts); Section 603 (Exempted Signs); Section 606 (Residential Districts); Section 702.1 (Neighborhood

Commercial Use Districts); Section 720.1 (Hayes-Gough Neighborhood Commercial Transit District) to conform these sections with the new VNMDR-SUD, NCT and RTO district controls; and adding new zoning districts and a new special use district including Section 121.5 to establish controls for Development on Large Lots in Residential Districts; Section 121.6 to restrict lot mergers in residential districts and on pedestrian-oriented streets; Section 158.1 related to Non-accessory Parking Garages in NCT and RTO Districts and the Van Ness and Market Downtown Residential Special Use District; Section

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 2 - Daly, Dufty

071159 [Zoning Map Amendment in connection with the Market and Octavia Area Plan] **Supervisor Mirkarimi**

Ordinance amending Zoning Map Sheets 2, 2H, 2SU and 7, 7H, and 7SU of the City and County of San Francisco Planning Code to eliminate use districts and height and bulk districts within the Market and Octavia Plan Area; replacing them with revised use districts, height and bulk districts, and special use districts, consistent with those proposed in the Market and Octavia Area Plan; and making various findings, including CEQA findings and findings of consistency with the General Plan and Planning Code

Section 101.1.
(Economic Impact)

Enacted Number: 71-08

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 2 - Daly, Dufty

NEW BUSINESS

Recommendations of the Budget and Finance Committee

080219 [2008 Annual Fundraising Drive]

Resolution designating those agencies qualified to participate in the 2008 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco.

Enacted Number: 181-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080333 [Ten Year Capital Expenditure Plan 2009-2018] **Supervisor Elsbernd**

Resolution adopting the City's ten year capital expenditure plan for fiscal years 2009-2018. (City Administrator)

Enacted Number: 171-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

080362 [Amending a contract with anticipated expenditures in excess of $10 million]

Resolution approving the Eleventh Amendment to the Agreement between the City and County of San Francisco (Purchaser) and Sunset Scavenger Company (Contractor) for sludge hauling, extending the term of the contract by 11 months to April 30, 2009 and increasing the total compensation to the Contractor by $3 million, pursuant to San Francisco Charter Section 9.118(b). (Office of Contract Administration)
(Fiscal Impact.)

Enacted Number: 175-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

080363 [Professional services agreement to provide

professional engineering services]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute an amendment to increase the amount of a professional services agreement with URS Corporation by $1,900,000, for a total revised agreement amount of $13,900,000. (Public Utilities Commission)

(Fiscal Impact.)

Enacted Number: 182-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the City Operations and Neighborhood Services Committee

080025 [Liquor license transfer - 1237 Polk Street]

Resolution determining that the transfer of a Type 48 on-sale general public premises liquor license from 1415 Larkin Street to 1237 Polk Street (District 3), to Myles O'Reilly for McTeague's Saloon will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Enacted Number: 176-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Government Audit and Oversight Committee

080405	**[Aerial spraying of pesticides to eradicate the Light Brown Apple Moth]**	**Supervisors Mirkarimi, Ammiano, Daly**

Resolution opposing aerial spraying over the City and County of San Francisco of pesticides designed to eradicate the Light Brown Apple Moth; urging the City Attorney to pursue legal strategies to oppose aerial spraying in San Francisco.

Supervisor Daly requested to be added as a co-sponsor

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080409	**[Urging safe approach to controlling Light Brown Apple Moth]**	**Mayor, Supervisors Dufty, Ammiano**

Resolution urging the State of California to make maximum use of safe and tested ground-based approaches to control the Light Brown Apple Moth; complete an environmental impact report prior to the inception of any aerial spray program; and ensure that the California EPA Office of Environmental Health Hazard Assessment conducts an independent human health risk assessment of any LBAM aerial spray program prior to its inception.

Enacted Number: 173-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Rules Committee

071596	**[Audio or video recording of public meetings held in City Hall hearing rooms]**	**Supervisors Mirkarimi, Ammiano, Daly**

Ordinance amending Section 67.14 of the Administrative Code to require that any public meeting held in a City Hall hearing room that is equipped with audio or video recording facilities be audio or video recorded and to further require that such audio or video recording be made available for review on the City's web site.

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved to refer File No. 071596 to committee.

The motion failed by the following vote:

Ayes - 5: Alioto-Pier, Chu, Dufty, Elsbernd, McGoldrick

Noes - 6: Ammiano, Daly, Maxwell, Mirkarimi, Peskin, Sandoval

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Daly, Dufty, Mirkarimi, Peskin, Sandoval

Noes: 5 - Alioto-Pier, Chu, Elsbernd, Maxwell, McGoldrick

080278 [Clarifying when the Ethics Commission must raise the individual expenditure ceiling in the partial public financing program for candidates for Mayor and the Board of Supervisors, and **Supervisor Daly**

Ordinance amending Sections 1.108, 1.134.5, and 1.144 of the Campaign and Governmental Conduct

Code, to clarify when the Executive Director of the Ethics Commission shall raise the Individual Expenditure Ceiling for a candidate for Mayor or the Board of Supervisors and to make technical corrections.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Alioto-Pier

From the Rules Committee With Recommendation "Do Not Pass"

Supervisor Ammiano Excused From Voting

Supervisor McGoldrick, seconded by Supervisor Alioto-Pier, moved to excuse Supervisor Ammiano from voting on File No. 071659. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

071659 [Deletes the cap on the amount that an individual production can receive under the Rebate Program] **Supervisor Alioto-Pier**

Ordinance amending Administrative Code Section 57.8 by repealing the provision that limits individual rebates under the Rebate Program to the amount of tax that the film production paid to the City. (Economic Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, Mirkarimi
Noes: 4 - Daly, McGoldrick, Peskin, Sandoval
Excused: 1 - Ammiano

Supervisor Maxwell, seconded by Supervisor McGoldrick, moved to rescind the vote on File No. 071659.
The motion passed by the following vote:
Ayes - 10: Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused - 1: Ammiano

NOT PASSED ON FIRST READING by the following vote:

Ayes: 4 - Alioto-Pier, Chu, Dufty, Elsbernd
Noes: 6 - Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

From the Rules Committee Without Recommendation

071670 [Administrative fines for violation of City ordinances] **Supervisor Mirkarimi**

Ordinance amending the San Francisco

Administrative Code by adding Chapter 100, entitled "Procedures Governing the Imposition of Administrative Fines" and encompassing Section 100.1 through 100.16, to establish a procedure for the enforcement, collection, and administrative review administrative fines imposed for violation of City ordinances.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Supervisor Dufty introduced, welcomed and presented Certificates of Honor to the Staff of Congressman Lantos' District Office.

Supervisor Chu introduced, welcomed and presented Certificates of Honor to Ulloa Elementary School and its staff for receiving the California 2008 Distinguished School of the Year Award.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which *have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.*

Abdullah Megaheed; expressed concern with issues relating to the homeless and public health

James Chaffee; expressed concern with issues relating to the SF Public Library

Eugene Gordon Jr.; expressed concern with various issues

Joseph Ryan; expressed concern with the Turbine Peaker Project

Serine; expressed concern with the Turbine Peaker Project

Romona Coline; expressed concern with the Turbine Peaker Project

Adrine; expressed concern with the Turbine Peaker Project

Ms. Judson; expressed concern with the Turbine

Peaker Project
Robin Loberton; expressed concern with the Turbine Peaker Project
Allen Grant; expressed concern with the Turbine Peaker Project
Female speaker; expressed concern with the Turbine Peaker Project
John Di Donna; expressed concern with the Olympic Torch Run
Josh Varsa; expressed concern with the Turbine Peaker Project
Richard Decree; expressed concern with various issues
Mark Konic; expressed concern with the Turbine Peaker Project
Ms. Wilson; expressed concern with issues related to workers rights
Cecil Gills; expressed concern with issues related to global warming
Espanola Jackson; expressed concern with the Turbine Peaker Project
Eric Burns; expressed concern with the Turbine Peaker Project
Diane Wesley Smith; expressed concern with issues related to housing retention
Joseph Litner; expressed concern with the Turbine Peaker Project

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

080486	**[Recognizing San Jose State University for bringing awareness to the United States Food and Drug Administration's discriminatory policy on blood donations which singles out gay men]**	**Supervisors Sandoval, Ammiano, Dufty**

Resolution recognizing San Jose State University for bringing awareness to the United States Food and Drug Administration's discriminatory policy on blood donations which singles out gay men.

Enacted Number: 183-08

ADOPTED

080487	**[Urging the United States Congress to save the Commodity Supplemental Food Program (CSFP), restore the thousands of people cut from the program since 2003, and expand the program to meet the**	**Supervisor Dufty**

Resolution urging the United States Congress to save the Commodity Supplemental Food Program (CSFP), restore the thousands of people cut from

CSFP since 2003, and expand the program to meet the increasing need.

Enacted Number: 184-08

ADOPTED

080489 [Grant funds to support HIV prevention activities] **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH), to enter retroactively into an agreement in the amount of $44,408 with the Public Health Foundation Enterprises (PHFE), the primary contractor, to fund a project entitled "Reducing Sexual Risk among Episodic Substance Using MSM;" for the period of September 30, 2007 through September 29, 2008.

Enacted Number: 177-08

ADOPTED

080490 [Urging the California Legislature to pass Senate Bill 1066] **Supervisors Ammiano, Dufty**

Resolution urging the California Legislature to pass Senate Bill 1066 and instructing the City's lobbyist to work toward this goal. This Bill eliminates discrimination based on age and sexual orientation, increases access to employer-provided health insurance for opposite-sex couples, and brings uniformity to domestic partner laws in California.

Enacted Number: 172-08

ADOPTED

080492 [Accept-Expend State Grant - Chief of Police - $65,000] **Supervisor Elsbernd**

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend a grant in the amount of $65,000.00 (Sixty-Five Thousand dollars) from the California Department of Boating and Waterways to purchase miscellaneous boating equipment for use in boating safety and law enforcement activities.

Enacted Number: 178-08

ADOPTED

080493 [National Crime Victims' Rights Week - April 13-19, 2008] **Supervisor Maxwell**

Resolution proclaiming the week of April 13-19, 2008, as National Crime Victims' Rights Week.

Enacted Number: 185-08

ADOPTED

080494 [1858 Black Exodus to Victoria, British Columbia] **Supervisor Maxwell**

Resolution expressing profound regret for the 1858 exodus of hundreds of Black residents of San Francisco to Victoria, British Columbia because of the legalized brutality and injustices that were visited upon them based upon such legislation as the 1850 Civil Practices Act, that disqualified Blacks from testifying against whites, the Fugitive Slave Act of 1852 and the proposed Assembly Bill 339 in 1858 that was "An Act to restrict and prevent the immigration to and residence in the State of Negroes and mulattos."

Enacted Number: 179-08

ADOPTED

080495 [Extending the Asthma Task Force Membership to June 30, 2011] **Supervisor Maxwell**

Resolution extending the Asthma Task Force Membership to June 30, 2011.

Enacted Number: 186-08

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Dufty

Severed from the Without Reference to Committee Agenda

080491 **[Supporting an independent analysis of the SFPUC's proposed "Combustion Turbine Peaker Project"]** **Supervisor Alioto-Pier**

Resolution supporting a request for an independent analysis of the SFPUC's proposed "Combustion Turbine Peaker Project" to update the Cal-ISO/SFPUC 2004 Action Plan for San Francisco to a 2008 Action Plan that will include the 400 Megawatts provided by Transbay Cable, improvements in renewable energy technologies, municipal solar projects, transmission and reconductering upgrades and demand response.

Supervisor Maxwell requested that this matter be severed so that it might be considered separately.

REFERRED to the Land Use and Economic Development Committee.

080496 **[Supporting a fiscal feasibility study of the SFPUC's proposed "Combustion Turbine Peaker Project"]** **Supervisor Alioto-Pier**

Resolution supporting a fiscal feasibility study of the SFPUC's proposed "Combustion Turbine Peaker Project" as required under Section 29.1(c)(4) of the

Administrative Code.

Supervisor Maxwell requested that this matter be severed so that it might be considered separately.

REFERRED to the Land Use and Economic Development Committee.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

080519 [Accept-Expend Sidney E. Frank Foundation Grant and Amendment to the Annual Salary Ordinance, FY 2007-2008 - $200,000] **Supervisor Alioto-Pier**

Ordinance authorizing the Department of the Environment to accept and expend a grant in the amount of $200,000 from the Sidney E. Frank Foundation to carry out the critical task of engaging key stakeholders and interest groups to solicit input for a wave energy project and amending Ordinance Number 175-07 to reflect the addition of one (1) grant-funded position at the Department of the Environment.

4/15/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080520 **[Below Market Rate Condominium Conversion Program]** **Supervisor McGoldrick**

Ordinance amending the San Francisco Subdivision Code by adding Section 1344 to update and clarify the provisions relating to Below Market Rate Units under the Condominium Conversion Program including provisions related to the calculation of sales price, renting, capital improvements, duration and monitoring of affordability, marketing, and ongoing regulations; and amending Sections 1308, 1309, 1341, 1341B, 1343, 1359, and 1385 to make conforming changes, and making findings including findings under the California Environmental Quality Act (CEQA).

4/15/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/15/2008.

080521 **[Citywide Affordable Housing Preference for Certificate of Preference Holders]** **Supervisor Mirkarimi**

Ordinance providing that all City affordable housing programs give preference in those programs to Certificate of Preference Holders under the San Francisco Redevelopment Agency's Property Owner and Occupant Preference Program by adding Administrative Code Section 24.8 to provide that all City affordable housing programs administered by the Mayor's Office of Housing or other City

Department give preference in those programs to Certificate of Preference holders; and amending Administrative Code Sections 43.3.4 to provide for preference in the affordable housing and home ownership bond program; Section 10.100-110 to provide for preference in the expenditure of funds from the Mayor's Housing Affordability Fund; 10-100-370 to provide for preference in the use of HOPE SF funds; and amending Planning Code Sections 313.12, 315.4, 315.5, and 315.6 to provide for preference in the Citywide Affordable Housing funds generated by the Jobs-Housing Linkage Program and the Residential Inclusionary Affordable Housing program and in the allocation of all on- and off-site inclusionary housing units in those programs.

4/15/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/15/2008.

080523	**[Approving agreements for the development of the City Combustion Turbine Projects at San Francisco International Airport and at 25th and Maryland Streets]**	**Supervisors Maxwell, Dufty, McGoldrick, Peskin**

Ordinance approving agreements necessary for the development of the City Combustion Turbine Projects to be located at North Access Road and Clearwater Drive, San Francisco International Airport, and at Property Adjacent to the MTA Metro

East Facility at 25th and Maryland Streets in San Francisco, including a design-build agreement, a power purchase agreement, a turbine upgrade agreement, electric and gas interconnection agreements and granting specified waivers; and approving a jurisdictional transfer of property and a lease modification to accommodate the proposed projects, subject to further agreements among the affected City departments; and making environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.
(Fiscal Impact.)
4/15/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. April 18, 2008 - Sent to Planning for environmental review.

080525 [Planning Code Enforcement] Supervisor Peskin

Ordinance amending the San Francisco Administrative Code by amending Section 10.100-166 to expand the Planning Department's Code Enforcement Fund beyond general advertising signs and authorize the Fund to receive revenues from all types of code enforcement activities, including monetary judgments, and authorize expenditure of the funds for administration and enforcement of all Planning Code violations; amending the San Francisco Planning Code by amending Section 303(l) concerning relocation of general advertising signs to delete the requirement to submit a site map, clarify that wall signs are included in the requirements and make technical changes to the language of the section, by amending Section 358 to increase the annual inventory maintenance fee from $48 to $75 and to clarify use of the general advertising sign inventory fees and that wall signs are included in the requirements, by amending Section 604.2 to provide that violation of the Code's general advertising sign inventory requirements is a public nuisance, to clarify that the definition of the term "general advertising sign company" includes the operator of the sign and that wall signs are included in the requirements, to modify language required to be in the affidavit submitted with the sign inventory, to delete the requirement to submit a site map, to conform the penalty and appeal procedure with Section 610, and to make other clarifying and technical changes to the language of the section; adopting CEQA and Planning Code Section 302 findings.

4/15/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/15/2008.

080526 [Public Employment - Police Department] **Supervisor Peskin**

Draft ordinance amending Ordinance No. 175-07 (Annual Salary Ordinance FY 2007-2008) to reflect the deletion of three Command Staff positions at the Police Department for FY 2007-08.

4/15/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 04/18/08 - Referred to the City Attorney for approval as to form.

080527	**[Requiring Assessor to report reductions of real property assessments]**	**Supervisors Sandoval, Peskin, Daly**

Ordinance amending the San Francisco Administrative Code by adding Section 10.2-9, to require the Assessor to post monthly reports of any reductions of assessed values of real properties.

4/15/08, RECEIVED AND ASSIGNED to Rules Committee.

080529	**[Requiring Activation of Closed Captions on Television Receivers]**	**Supervisors Alioto-Pier, Dufty, Ammiano**

Ordinance amending the San Francisco Police Code by adding Article 44, Sections 4400 to 4407 to require the activation of closed captioning on television receivers intended for use by the general public and authorizing the imposition of civil penalties and/or criminal fines for violations of this requirement.

4/15/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/15/2008.

Resolutions

080524	**[Authorizing the execution and**	**Supervisors**

delivery of certificates of participation to finance the San Francisco Combustion Turbine Projects and approving property leases, project leases and a trust Resolution authorizing the execution and delivery of certificates of participation to finance the acquisition, construction, installation and equipping of natural gas-fired combustion turbine generation facilities on City-owned property located at 25th and Maryland Street in the Potrero neighborhood and at the San Francisco International Airport at the corner of North Access Road and Clearwater Drive; approving the form of a trust agreement between the City and County of San Francisco and a trustee (including certain indemnities contained therein); authorizing the selection of a trustee; approving the forms of property leases between the City and the trustee relating to the Potrero site and to the San Francisco International Airport site; approving the forms of project leases between the trustee and the City (including certain indemnities contained therein) relating to each of the two Projects; approving the form of a Memorandum of Understanding between the San Francisco Public Utilities Commission and the City; approving the form of an official notice of sale and notice of intention to sell for the certificates of participation; approving the form of an official statement in preliminary and final form; approving the form of a continuing disclosure certificate; and ratifying	**Maxwell, Dufty, McGoldrick, Peskin**

previous actions taken in connection therewith. (Supervisor Alioto-Pier dissented in committee.)

4/15/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080528 [Official City policy that no new Mayor set-asides be added to the City Charter without a funding source]

Resolution declaring it to be official City policy that no new set-asides or other mandatory appropriations be added to the City Charter unless the measure also identifies or provides a specific, adequate new source of funds.

4/15/08, RECEIVED AND ASSIGNED to Rules Committee.

080530 [Commending the Neighborhood Arts Program and proclaiming May 3, 2008 Neighborhood Arts Day in San Francisco] **Supervisors Mirkarimi, Dufty**

Resolution commending the Neighborhood Arts Program on the occasion of its 40th anniversary and proclaiming May 3, 2008 Neighborhood Arts Day in San Francisco.

4/15/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080531 [Supporting the Arts in **Supervisor**

California State Assembly Bill AB 2728]

Ammiano

Resolution supporting the Arts in California State Assembly Bill AB 2728 to fully fund the California Arts Council.

4/15/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080532 [Proclaiming May 1, 2008 to be International Workers' Day, affirming San Francisco as a Sanctuary City, and urging the Congress of the United States to repeal the REAL ID Act of 2005]

Supervisors Sandoval, Ammiano

Resolution proclaiming May 1, 2008 to be International Workers' Day, affirming San Francisco as a Sanctuary City, and urging the Congress of the United States to repeal the REAL ID Act of 2005.

4/15/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080533 [Requesting the Mayor, Chief of Police and the Mayor's Office of Criminal Justice to offer a reward for information leading to the arrest and conviction of the person(s) responsible for the

Supervisors Sandoval, Dufty

Resolution requesting the Mayor, Chief of Police and the Mayor's Office of Criminal Justice to offer a reward for information leading to the arrest and conviction of the person(s) responsible for the homicide of Luis Solari on April 9, 2008.

4/15/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080534 [Armenian Genocide Commemoration Day - April 24, 2008] **Supervisors Peskin, Maxwell, McGoldrick, Ammiano, Elsbernd, Alioto-Pier, Mirkarimi, Daly, Dufty, Sandoval, Chu**

Resolution declaring April 24, 2008 as Armenian Genocide Commemoration Day in San Francisco.

4/15/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080535 [San Francisco Symphony "Adventures in Music Day" - April 18, 2008] **Supervisors Dufty, Peskin**

Resolution declaring April 18, 2008 "Adventures in Music Day" in San Francisco.

4/15/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080536	**[Authorizing application to State Infill Infrastructure Grant Program]**	**Supervisor McGoldrick**

Resolution authorizing the submittal of an application to the California State Department of Housing and Community Development for funding under the Infill Infrastructure Grant Program; the execution of a Standard Agreement if selected for such funding and any amendments thereto; and any related documents necessary to participate in the Infill Infrastructure Grant Program.

4/15/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080537	**[Declaring May 4, 2008 "People Paddle for AIDS Day"]**	**Supervisor Daly**

Resolution commending People Paddle for their efforts in raising awareness, funding, and offering services to those with AIDS and hereby declare May 4, 2008, "People Paddle for AIDS Day."

4/15/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080538	**[Opposition to California State Initiative 07-0094, the Runner**	**Supervisors Daly, Peskin,**

Initiative] **Ammiano, Mirkarimi**

Resolution expressing opposition to Initiative 07-0094, the Runner Initiative, a proposed ballot measure that would shift state resources from education, crime and violence prevention toward increased incarceration of youth and young adults from low income communities of color with limited opportunities for education, employment and rehabilitation.

4/15/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080539 **[Approval of a second 120-day extension for Planning Commission review]** **Supervisor Daly**

Resolution extending by an additional 120 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend the Planning Code by repealing Section 825.1 and amend Planning Code Sections 135, 309.1, 318.3, 809, 825 and 827 to apply many of the provisions of Rincon Hill Downtown Mixed Use Zoning District to all Downtown Residential Districts and to add design requirements to enhance the pedestrian environment.

4/15/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

080522 [Authorizing the Office of the Clerk of the Board of Supervisors to provide clerical, administrative, and logistical assistance to the San Francisco Local Agency Formation Commission] **Supervisor Mirkarimi**

Motion authorizing the Office of the Clerk of the Board of Supervisors, consistent with past practice, to provide clerical, administrative, and logistical assistance to the San Francisco Local Agency Formation Commission for the purpose of instituting its Advice and Monitoring Project with respect to CCA Program Implementation as requested by the San Francisco Board of Supervisors and for the Clerk of the Board of Supervisors to seek reimbursement from San Francisco Local Agency Formation Commission.

4/15/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Hearings

080516 [Status of School District Eligibility to access Rainy Day Reserves] **Supervisor Dufty**

Hearing to receive an update from the Controller and San Francisco Unified School District (SFUSD) on School District's eligibility to access Rainy Day Reserve funds.

4/15/08, RECEIVED AND ASSIGNED to City and School District Select Committee.

080517 [Status of Public Education Enrichment Fund (PEEF) Plan] Supervisor Dufty

Hearing to consider the Public Education Enrichment Fund Expenditure Plan for Fiscal Year 2008-2009.

4/15/08, RECEIVED AND ASSIGNED to City and School District Select Committee.

080518 [Municipal Transportation Agency Quality Review] Supervisor Peskin

Hearing to consider the recently completed biennial review of the Municipal Transportation Agency's progress toward its adopted goals, objectives, and performance standards as required under Charter Section 8A.107.

4/15/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED ORDINANCES

080453 [Amending San Francisco Fire Code to add Express Plan Review service and fee]

Ordinance making environmental findings and amending Appendix Chapter 1, Section 112.9 of the

San Francisco Fire Code to add an Express Plan Review service at the Fire Department and to establish a fee for that service. (Fire Department) 4/1/08, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/15/2008. 04/15/08 - Referred to Planning for dermination of environmental impact. 04/25/08 - Response received from Planning, exempt from CEQA. 05/19/08 - Department request that this item not be scheduled.

080454 [Settlement of Lawsuit - John Weatherspoon III- $5,150,000.00]

Ordinance authorizing settlement of the lawsuit filed by John Weatherspoon III, by and through his Guardian Ad Litem, Barbara Weatherspoon against the City and County of San Francisco for $5,150,000.00; the lawsuit was filed on May 9, 2006 in San Francisco Superior Court, Case No. 452-083; entitled John Weatherspoon III, by and through his Guardian Ad Litem, Barbara Weatherspoon v. City and County of San Francisco, et al. (City Attorney) 4/2/08, RECEIVED AND ASSIGNED to Rules Committee.

080455 [Settlement of Lawsuit - Marnix Van Ammers and Jean Walker- $70,000.00]

Ordinance authorizing settlement of the lawsuit filed by Marnix Van Ammers and Jean Walker against the

City and County of San Francisco for $70,000.00; the lawsuit was filed on April 9, 2007 in the San Francisco Superior Court, Case No. 462-146; entitled Van Ammers, et al., v. City and County of San Francisco, et al. (City Attorney)
4/2/08, RECEIVED AND ASSIGNED to Rules Committee.

080456 **[Settlement of Lawsuit - Jane Martin- $75,000]**

Ordinance authorizing settlement of the portion of the lawsuit filed by Aristides Cisneros and Shirley Kollman against the City and County of San Francisco for $75,000; the lawsuit was filed on January 31, 2005 in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)
4/2/08, RECEIVED AND ASSIGNED to Rules Committee.

080457 **[Settlement of Lawsuit - Margarita Hill- $55,000]**

Ordinance authorizing settlement of the lawsuit filed by Margarita Hill against the City and County of San Francisco for $55,000; the lawsuit was filed on December 12, 2006 in San Francisco Superior Court, Case No. 458664; entitled Margarita Hill v. City and County of San Francisco, et al. (City Attorney)
4/2/08, RECEIVED AND ASSIGNED to Rules Committee.

080464 [Implementing a Deferred Retirement Option Program for certain members of the Police Department]

Ordinance adding Sections 16.63 through 16.63-10 to the Administrative Code to implement the Deferred Retirement Option Program approved by the San Francisco voters. (Retirement System)

4/7/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

080452 [Gift of up to $300,000 - private, Department of Public Health]

Resolution authorizing the Department of Public Health, Community Behavioral Health Services to retroactively accept a gift of Buprenorphine medication from Reckitt Benkiser Pharmaceuticals with a monetary value of up to $300,000 for the period of March 1, 2008 through August 31, 2008 for ongoing and new patients receiving Opiate Replacement Treatment in San Francisco. (Public Health Department)

4/2/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080458 [Settlement of Claim - Christopher L. Blackstock-

$40,000]

Resolution approving the settlement of the unlitigated claim filed by Christopher L. Blackstock against San Francisco for $40,000; claim was filed on September 13, 2007. (City Attorney)

4/2/08, RECEIVED AND ASSIGNED to Rules Committee.

080467 [Lease of Real Property at 68 12th Street, Suite 200B]

Resolution authorizing the Director of Property to exercise a three-year extension option for a lease of real property located at 68 12th Street, Suite 200B, for the Department of Public Health, Emergency Medical Services, effective retroactively to July 1, 2007. (Real Estate Department)

4/7/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080468 [Lease of Real Property at 1360 Mission Street, Suite 401]

Resolution authorizing the Director of Property to exercise an extension option for a three-year term for the lease of real property located at 1360 Mission Street, Suite 401, for the Department of Public Health retroactively to January 1, 2008. (Real Estate Department)

4/7/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor McGoldrick
To: Controller
Requesting/Inquiring: Submitting a request that the Controller's office surveys the salaries of non-profit organizations executive director salaries, in cases where more than fifty percent of the organizations' budget is funded through city funds.
From: Supervisor Elsbernd
To: Director, Municipal Transportation Agency
Requesting/Inquiring: Please study the feasibility of reducing the speed limit on Lake Merced Blvd. between Winston Avenue and Higuera Street from 45 mph to 35 mph.
From: Supervisor Elsbernd
To: Director, Municipal Transportation Agency
Requesting/Inquiring: Please study the feasibility of making 16th Avenue a one-way street between Funston and Noriega Streets.
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti at the following private property locations:
333 Haight
406-408 Buchanan
536 Fell
406 Buchanan
400 Haight
Haight and Scott (the Vangard Real Estate Business)
546 Haight

799 Haight
498 Haight
428 Haight
226 Haight
104 Haight
696 Haight
839 Haight
425-431 Buchanan
383 Grove
385 Grove
432 Grove
200 Octavia
626 Fell
Geary and Steiner (the wall on the southwest corner of the walking bride)
451 Hayes
525 Gough
355 Laguna
425-427 Laguna
600 Fell
636 Laguna
363-365 Grove
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of repairing potholes at the following locations:
Crosswalk collapsing on Fillmore and Waller (south side of Fillmore Street)
From: Supervisor Mirkarimi
To: Director, Department of Public

In Memoriams:

Kathleen Bolton - Supervisors Dufty, Ammiano, Chu
Ken Emery - Supervisor Dufty
Luis "Al" Solari - Entire Board

ADJOURNMENT

There being no further business the Board adjourned at the hour of 3:53 p.m.
Angela Calvillo, Clerk of the Board
N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.
Approved by the Board of Supervisors on May 13, 2008.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by

Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4188 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPA¥OL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯: 必須在會議前最少四十八小時提出要求
請電: (415) 554-7719

Disability access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

- LISTEN
- TEXT ONLY
- PRINT
- A
- A
- A

GOVERNMENT
DOCUMENTS DEPT

JAN - 9 2009

SAN FRANCISCO
PUBLIC LIBRARY

April 22, 2008

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

Tuesday, April 22, 2008
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *Jake McGoldrick.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll Supervisor McGoldrick was noted absent.
There was a quorum present.

Supervisor McGoldrick Excused from Attendance

Supervisor Dufty, seconded by Supervisor Ammiano, moved to excuse Supervisor McGoldrick from attendance. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Excused: 1 - McGoldrick

APPROVAL OF MEETING MINUTES

Supervisor Chu, seconded by Supervisor Dufty, moved to approve the minutes of April 1, 2008. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use and Economic Development Committee

Supervisors Daly and Dufty Excused From Voting

Supervisors Daly and Dufty previously excused from voting on File No. 071157 at the Board meeting of 4/8/08.

071157 [Planning Code Amendments to implement the Market and **Supervisors Mirkarimi,**

Octavia Area Plan] **McGoldrick**

Ordinance amending the San Francisco Planning Code to implement the Market and Octavia Area Plan of the General Plan by amending Section 102.5 (District); Section 121.1 (Development on Large Lots, Neighborhood Commercial Districts); Section 121.2 (Use Size Limits (Non-Residential), Neighborhood Commercial Districts); Section 124 (Basic Floor Area Ratio); Section 132 (Front Setback); Section 134 (Rear Yards); Section 135 (Usable Open Space For Dwelling Units and Group Housing); Section 144 (Treatment of Ground Story On Street Frontages); Section 145.1 (Street Frontages, Neighborhood Commercial Districts); Section 145.4 (Street Frontages Downtown and Mixed-Use Districts); Section 151.1 (Schedule of Required Off-Street Parking Spaces); Section 152. (Schedule of Required Off-Street Freight Loading Spaces in Districts Other Than C-3 or South of Market); Section 153 (Rules for Calculation of Required Spaces); Section 154 (Minimum dimensions for required off-street parking, freight loading and service vehicle spaces); Section 155 (General Standards as to Location and Arrangement of Off-Street Parking, Freight Loading and Service Vehicle Facilities); Section 156 (Parking Lots); Section 166 (Requirements for Provision of Car-Share Parking Spaces); Section 167 (Parking Costs Separated from Housing Costs in New Residential Buildings); Section 201 (Classes of Use Districts); Section 207.1. (Rules For Calculation Of Dwelling Unit Densities); Section 207.4 (Density of

Dwelling Units in Neighborhood Commercial Districts); Section 208 (Density Limitations for Group Housing); Section 209.1-209.9 (Uses Permitted in RTO Districts); Section 234.2 (Requiring CU Authorization for specified uses in P Districts within the Market and Octavia Neighborhood Area); Section 253 (Review of Proposed Buildings and Structures Exceeding a Height of 40 Feet in R Districts); Section 270 (Bulk Limits: Measurement); Section 303 (Conditional Uses: Determination); Section 304 (Planned Unit Developments: Criteria and Limitations); Section 311 (Residential Permit Review Procedures for RH and RM Districts: Applicability); Section 315 (Inclusionary Housing requirements) including adding a fee on new residential development in the Plan Area in addition to the existing inclusionary housing requirements in a per square foot amount of $8 in the Van Ness Market Special Use District, $4 in the Neighborhood Commercial Transit (NCT) district, and $0 in the Transit-Oriented Residential (RTO) district; Section 316 (Procedures for Conditional Use Authorization in Neighborhood Commercial and South of Market Districts and for Live/Work Units in RH, RM, and RTO Districts); Section 603 (Exempted Signs); Section 606 (Residential Districts); Section 702.1 (Neighborhood Commercial Use Districts); Section 720.1 (Hayes-Gough Neighborhood Commercial Transit District) to conform these sections with the new VNMDR-SUD, NCT and RTO district controls; and adding new zoning districts and a new special use district including Section

121.5 to establish controls for Development on Large Lots in Residential Districts; Section 121.6 to restrict lot mergers in residential districts and on pedestrian-oriented streets; Section 158.1 related to Non-accessory Parking Garages in NCT and RTO Districts and the Van Ness and Market Downtown Residential Special Use District; Section

Enacted Number: 72-08

FINALLY PASSED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Chu, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Excused: 3 - Daly, Dufty, McGoldrick

Recommendations of the Rules Committee

071596 [Audio or video recording of public meetings held in City Hall hearing rooms] **Supervisors Mirkarimi, Ammiano, Daly**

Ordinance amending Section 67.14 of the Administrative Code to require that any public meeting held in a City Hall hearing room that is equipped with audio or video recording facilities be audio or video recorded and to further require that such audio or video recording be made available for review on the City's web site.

Enacted Number: 80-08

FINALLY PASSED by the following vote:

Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Chu, Elsbernd
Excused: 1 - McGoldrick

080278	**[Clarifying when the Ethics Commission must raise the individual expenditure ceiling in the partial public financing program for candidates for Mayor and the Board of Supervisors, and**	**Supervisor Daly**

Ordinance amending Sections 1.108, 1.134.5, and 1.144 of the Campaign and Governmental Conduct Code, to clarify when the Executive Director of the Ethics Commission shall raise the Individual Expenditure Ceiling for a candidate for Mayor or the Board of Supervisors and to make technical corrections.

Enacted Number: 74-08

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 1 - Alioto-Pier
Excused: 1 - McGoldrick

From the Rules Committee Without Recommendation

071670	**[Administrative fines for**	**Supervisor**

violation of City ordinances] **Mirkarimi**

Ordinance amending the San Francisco Administrative Code by adding Chapter 100, entitled "Procedures Governing the Imposition of Administrative Fines" and encompassing Section 100.1 through 100.16, to establish a procedure for the enforcement, collection, and administrative review administrative fines imposed for violation of City ordinances.

Enacted Number: 73-08

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

NEW BUSINESS

Recommendations of the Budget and Finance Committee

080332 [Security Services Contract Approval - Guardsmark LLC- $21,100,370]

Resolution approving the contract between the City and County of San Francisco and the Guardsmark LLC to provide security services to the Human Services Agency for the period from May 1, 2008 to April 30, 2013, in the amount of $21,100,370. (Human Services Department)

Enacted Number: 201-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

080444 [Appropriating $275,237 of Beginning Fund Balance for Grievance Arbitration Expenses and Workers' Compensation Settlement Costs in the War Memorial for Fiscal Year 2007-2008] **Mayor**

Ordinance appropriating $275,237 of Beginning Fund Balance for Grievance Arbitration Expenses and Workers' Compensation Settlement Costs in the War Memorial for Fiscal Year 2007-2008. (Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

080359 [Appropriating $6,593,103 for Officer Training, Inmate Housing Cost Overruns, and Compensatory Time Off for the Sheriff and Public Health Departments for Fiscal Year **Mayor**

2007-2008]

Ordinance de-appropriating $323,886 of General Fund and appropriating $600,000 of Sheriff Inmate Program Beginning Fund Balance, $269,044 of Peace Officer Training funds, and $5,400,173 of General Fund Reserve for peace officer training and cost overruns related to inmate housing and Compensatory Time Off in the Sheriff's Department, and jail health services in the Department of Public Health for a total appropriation of $6,593,103 for Fiscal Year 2007-2008.
(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Sandoval
Noes: 1 - Peskin
Excused: 1 - McGoldrick

080392 [Approval of the amendment of the Mental Health Services Act (MHSA) Agreement]

Resolution approving the amendment of the MHSA Agreement to include the MHSA Housing budget of $9,877,600 comprised of the MHSA Housing allocation of $7,714,400 and One-Time Augmentation to the MHSA Community Services and Supports of $2,163,200 and the assignment of these funds to CalHFA for investing in appropriate investment vehicles, underwriting of capital loans, determination of operating subsidies, disbursement of funds to approved housing developments, and continued monitoring of the project development. (Public Health Department)

Enacted Number: 199-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

080396 [Apply For-Accept-Expend Federal Funding - HOME Program]

Resolution approving the 2008/09 HOME Investment Partnership (HOME) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2008/09 HOME Program entitlement from the U.S. Department of Housing and Urban Development (HUD), totaling $7,740,804. (Mayor)

Enacted Number: 198-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

080394 [Apply For-Accept-Expend Federal Funding - Community Development Block Grant]

Resolution approving the 2008/09 Community Development Block Grant (CDBG) Program; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2008/09 Community Development Block Grant Program entitlement from the U.S. Department of Housing and Urban Development (HUD) together with Program Income and Reprogrammed Funds, totaling $22,617,052. (Mayor)

Enacted Number: 188-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

080395 [Apply For-Accept-Expend Federal Funding - Emergency Shelter Grants Program]

Resolution approving the 2008/09 Emergency Shelter Grant (ESG) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2008/09 Emergency Shelter Grant Program entitlement from the U.S. Department of Housing and Urban Development (HUD) in the amount of $944,908. (Mayor)

Enacted Number: 197-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Recommendations of the Land Use and Economic Development Committee

071531 [Amending the Planning Code to include properties in the proposed Excelsior Alcohol Restricted Use District in the Fringe Financial Service Restricted Use District and making related Zoning **Supervisor Sandoval**

Ordinance amending San Francisco Planning Code Sections 249.35, 711, and 712 to include properties in the proposed Excelsior Alcohol Restricted Use District in the Fringe Financial Service Restricted Use District prohibiting new fringe financial services, as defined, with certain exceptions, including properties in the Assessor's Blocks fronting on both sides of Mission Street from Silver Avenue to the Daly City border; amending Special Use District Maps Numbers SU11 and SU12 of the Zoning Map of the City and County of San Francisco to define the boundaries of the Fringe Financial Service Restricted Use District; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

080279 [Landmark Designation of 900 Innes Avenue (Shipwright's Cottage)] **Supervisor Maxwell**

Ordinance designating 900 Innes Avenue (Shipwright's Cottage) as a Landmark under Planning Code Article 10; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

080393 [Street Artist Winter Holiday Spaces]

Resolution approving continuous designation of temporary selling spaces in the Downtown area and at Harvey Milk Plaza for street artists certified by the Arts Commission, City and County of San Francisco, for each year's winter holiday season, beginning on November 15 and ending on January 15. (Arts Commission)

Enacted Number: 196-08

ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

RECESS

The Board recessed at the hour of 2:48 p.m.
Reconvening of the Board
The Board reconvened at the hour of 3:32 p.m.
The following Supervisors were noted present:
Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin - 9
Supervisors McGoldrick and Sandoval were noted absent at 3:32 p.m.
Supervisor McGoldrick was previously excused.

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Supervisor Maxwell introduced, welcomed and presented Certificates of Honor to the African American Historical Society and its staff.
Supervisor Maxwell introduced and welcomed former Supervisor Amos Brown.
Supervisor Dufty introduced, welcomed and presented a Certificate of Honor to Sherilyn Adams for her work with Larkin Street Youth Services.
Supervisor Alioto-Pier introduced, welcomed and presented Certificates of Honor to Director Dave Santori, Coach Dan Brandt, Amanda Arcila, David

Boyden, Ellis Briery, Natalie Davidson, Karoline Gurdal, Rose Guthrie, Anna Kegulski, Christian Roth, and Logan Weir of the Golden Gate Yacht Club Youth Sailing Program.

Supervisor Peskin introduced, welcomed and presented a Certificate of Honor to Abdullah Megaheed as he retires from public comment at the Board of Supervisors meetings for his work and advocacy for the homeless, healthcare and other critical issues.

SPECIAL ORDER 4:00 P.M.

070910 **[Public Hearing - Appeal of Determination of Exemption from Environmental Review for 3424 Jackson Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 31, 2007 (Case No. 2005.1134E), exempting from environmental review under Categorical Exemption Class 1, [State Guidelines, Section 15301(e)(1)]. The proposal would construct an addition of approximately 780 square feet (sq ft) of new space, room repartitions, removal of a rear fire escape, and addition of a new rear egress staircase and three decks to a 6,510-sq ft, 35-foot-high, four-story, single-family dwelling constructed circa 1921. The proposed alterations would result in a building approximately 7,289 sq ft and 35 feet high with enlarged ground, first, second, and third floors to the rear (about 487 sq ft of additional space), and enlarged fourth floor toward the front of the building (an expansion of 292 sq ft). The site is a rectangular 4,469-sq ft parcel (Assessor's Block 0971; Lot 003B). The project site, located in the Presidio Heights neighborhood is zoned RH-1 (Residential, House - One Family) and is within a 40-X height and bulk district.

(Appellant: Howard N. Ellman on behalf of Mr. and Mrs. Karkar)

(Filed June 14, 2007; companion measure to 070911, 070912, 070913; District 2.)

Continued to May 20, 2008

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, Mirkarimi, Peskin
Absent: 2 - Dufty, Sandoval
Excused: 1 - McGoldrick

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

070911 [Affirming the Categorical Exemption issued for the 3424 Jackson Street project]

Motion affirming the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to May 20, 2008

CONTINUED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, Mirkarimi, Peskin
Absent: 2 - Dufty, Sandoval
Excused: 1 - McGoldrick

070912 [Disapproving the Categorical Exemption issued for the 3424 Jackson Street project]

Motion disapproving the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to May 20, 2008

CONTINUED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, Mirkarimi, Peskin

Absent: 2 - Dufty, Sandoval
Excused: 1 - McGoldrick

070913 [Preparation of findings related to the 3424 Jackson Street project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 3424 Jackson Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to May 20, 2008

CONTINUED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, Mirkarimi, Peskin
Absent: 2 - Dufty, Sandoval
Excused: 1 - McGoldrick

COMMITTEE REPORTS

080481 [Settlement of Lawsuits - M-J SF Investments, LLC - $5,163] **Supervisor Peskin**

Ordinance authorizing settlement of two lawsuits filed by M-J SF Investments, LLC, against the City and County of San Francisco for $5,163 in costs to the City and County of San Francisco; the first lawsuit was filed on April 6, 2006, in San Francisco Superior Court, Case No. CGC-06-451001; entitled M-J SF Investments, LLC, et al., v. City and County of San Francisco, et al; the second lawsuit was filed on September 21, 2007, in San Francisco Superior Court, Case No. CPF-07-507496; entitled M-J SF Investments, LLC, et al., v. City and County of San Francisco, et al; other material terms of said settlement are set forth in the Settlement Agreement and Release of Claims contained in Board of Supervisors File No. 080481.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit *applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.*

Abdullah Megaheed; expressed concern with issues relating to the homeless and public health
Male Speaker; expressed concern with various issues
Cecil Mills; expressed concern with issues relating to power plants

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

080530	**[Commending the Neighborhood Arts Program and proclaiming May 3, 2008 Neighborhood Arts Day in San Francisco]**	**Supervisors Mirkarimi, Dufty**

Resolution commending the Neighborhood Arts Program on the occasion of its 40th anniversary and proclaiming May 3, 2008 Neighborhood Arts Day in San Francisco.

Enacted Number: 195-08

ADOPTED

080531 [Supporting the Arts in California State Assembly Bill AB 2728] **Supervisor Ammiano**

Resolution supporting the Arts in California State Assembly Bill AB 2728 to fully fund the California Arts Council.

Enacted Number: 194-08

ADOPTED

080533 [Requesting the Mayor, Chief of Police and the Mayor's Office of Criminal Justice to offer a reward for information leading to the arrest and conviction of the person(s) responsible for the **Supervisors Sandoval, Dufty**

Resolution requesting the Mayor, Chief of Police and the Mayor's Office of Criminal Justice to offer a reward for information leading to the arrest and conviction of the person(s) responsible for the homicide of Luis Solari on April 9, 2008.

Enacted Number: 200-08

ADOPTED

080534	**[Armenian Genocide Commemoration Day - April 24, 2008]**	**Supervisors Peskin, Maxwell, McGoldrick, Ammiano, Elsbernd, Alioto-Pier, Mirkarimi, Daly, Dufty, Sandoval, Chu**

Resolution declaring April 24, 2008 as Armenian Genocide Commemoration Day in San Francisco.

Enacted Number: 189-08

ADOPTED

080535	**[San Francisco Symphony "Adventures in Music Day" - April 18, 2008]**	**Supervisors Dufty, Peskin**

Resolution declaring April 18, 2008 "Adventures in Music Day" in San Francisco.

Supervisor Peskin requested to be added as a co-sponsor

Enacted Number: 193-08

ADOPTED

080536 [Authorizing application to State Infill Infrastructure Grant Program] **Supervisor McGoldrick**

Resolution authorizing the submittal of an application to the California State Department of Housing and Community Development for funding under the Infill Infrastructure Grant Program; the execution of a Standard Agreement if selected for such funding and any amendments thereto; and any related documents necessary to participate in the Infill Infrastructure Grant Program.

Enacted Number: 187-08

ADOPTED

080537 [Declaring May 4, 2008 "People Paddle for AIDS Day"] **Supervisor Daly**

Resolution commending People Paddle for their efforts in raising awareness, funding, and offering services to those with AIDS and hereby declare May 4, 2008, "People Paddle for AIDS Day."

Enacted Number: 192-08

ADOPTED

080538 [Opposition to California State Initiative 07-0094, the Runner Initiative] **Supervisors Daly, Peskin, Ammiano, Mirkarimi**

Resolution expressing opposition to Initiative 07-0094, the Runner Initiative, a proposed ballot measure that would shift state resources from education, crime and violence prevention toward increased incarceration of youth and young adults from low income communities of color with limited opportunities for education, employment and rehabilitation.

Enacted Number: 190-08

ADOPTED

080539 **[Approval of a second 120-day extension for Planning Commission review]** **Supervisor Daly**

Resolution extending by an additional 120 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend the Planning Code by repealing Section 825.1 and amend Planning Code Sections 135, 309.1, 318.3, 809, 825 and 827 to apply many of the provisions of Rincon Hill Downtown Mixed Use Zoning District to all Downtown Residential Districts and to add design requirements to enhance the pedestrian environment.

Enacted Number: 191-08

ADOPTED

080497 [Final Map - 3401 - 3415 Taraval Street]

Motion approving Final Map 4703, a 6 Unit Residential and 1 Unit Commercial Condominium Project, located at 3401 - 3415 Taraval Street being a subdivision of Lot 001 in Assessors Block No. 2381 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 177,491; District 4.)

Enacted Number: M08-24

APPROVED

080498 [Final Map - 3620 19th Street]

Motion approving Final Map 4269, a 39 Residential Unit and 2 Commercial Unit Mixed-Use Condominium Project, located at 3620 19th Street being a subdivision of Lots 018, 068, and 070 in Assessors Block No. 3587 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 177,492; District 8.)

Enacted Number: M08-69

APPROVED

080499 [Final Map - 8 McLea Court]

Motion approving Final Map 3594, a 29 Unit Residential Condominium Project, located at 8 McLea Court being a subdivision of Lot 142 in Assessors Block No. 3757 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)
(DPW Order No. 177,490; District 6.)

Enacted Number: M08-70

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Severed from the Without Reference to Committee Agenda

080532	**[Proclaiming May 1, 2008 to be International Workers' Day, affirming San Francisco as a Sanctuary City, and urging the Congress of the United States to repeal the REAL ID Act of 2005]**	**Supervisors Sandoval, Ammiano**

Resolution proclaiming May 1, 2008 to be International Workers' Day, affirming San Francisco as a Sanctuary City, and urging the Congress of the United States to repeal the REAL ID Act of 2005.

Supervisor Sandoval requested that this matter be severed so that it might be considered.

Continued to April 29, 2008.

Supervisor Sandoval, seconded by Supervisor Ammiano, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Excused: 1 - McGoldrick

Supervisor Daly Excused From Voting

Supervisor Ammiano, seconded by Supervisor Dufty, moved to excuse Supervisor Daly from voting on File No. 080500. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Excused: 2 - Daly, McGoldrick

080500 [Final Map - 1350 - 1354 Stevenson Street]

Motion approving Final Map 4270, a Six Unit Residential Condominium Project, located at 1350 - 1354 Stevenson Street being a subdivision of Lot 037A in Assessors Block No. 3513 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 177,489; District 6.)

Enacted Number: M08-71

APPROVED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, Peskin, Sandoval

Excused: 2 - Daly, McGoldrick

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

080559 [Disaster Service Worker Training and Reporting and Employee Contact Information] **Supervisor Alioto-Pier**

Ordinance requiring departments to update employee contact information and report annually on the status of required Disaster Service Worker Training.

4/22/08, RECEIVED AND ASSIGNED to Public Safety Committee.

080564 [Establishing a Reentry Council] **Supervisor Mirkarimi**

Ordinance amending the San Francisco Administrative Code by adding Sections 5.1-1 through 5.1-6 to: establish a Reentry Council; set forth the Council's purpose, powers and duties; and establish membership criteria.

4/22/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/22/2008.

080565	**[Accept-Expend Federal Grant and Amend Annual Salary Ordinance, FY 2007-2008 - $307,375]**	**Supervisor Mirkarimi**

Ordinance authorizing the Department of Economic and Workforce Development to retroactively accept and expend a grant in the amount of $307,375 from the California Employment Development Department for workforce development activities, and amending the Annual Salary Ordinance to provide for the creation of certain grant-funded positions.

4/22/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080566	**[Approving an agreement with Cochran, Inc. to install shoreside power equipment at Piers 27 and 29 of the Port of San Francisco and waiving the contracting requirements of the Administrative**	**Supervisors Peskin, Dufty**

Ordinance authorizing the Executive Director of the Port to execute an agreement with Cochran, Inc. to install shoreside power equipment at Piers 27 and 29 of the Port of San Francisco for an amount not to exceed $1,700,000 from the City and an additional

$1,900,000 to be separately provided by Princess Cruise Lines from the Bay Area Air Management District Carl Moyer Program grant and exempting the agreement from the contracting requirements of the Administrative Code and Environment Code. (Fiscal Impact.)
4/22/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080567 **[Zoning - Ordinance creating a Conditional Use requirement for establishments that sell Tobacco Paraphernalia]** **Supervisor Sandoval**

Ordinance amending the Planning Code to add a new Section 227(v), to define Tobacco Paraphernalia Establishments, and to impose a conditional use requirement on the establishment of such new enterprises in all Commercial and Industrial districts; amending Section 303 of the Planning Code to refer to this requirement, and to require consideration of additional criteria when analyzing a conditional use application; adding a new Section 790.123, to define Tobacco Paraphernalia Establishments in the Neighborhood Commercial districts; amending sections 710.1, 711.1, 712.1, 713.1, 714.1, 715.1, 716.1, 717.1, 718.1, 719.1, 720.1, 721.1, 722.1, 723.1, 724.1, 725.1, 726.1, 727.1, 728.1, 729.1, 730.1, and 732.1, to refer to this definition and conditional use requirement; adding a new Section 890.89 to define Tobacco Paraphernalia Establishments in the Mixed Use districts; amending sections 803.1, 810.1, 811.1, 812.1, 814, 815, 816, 817, 818, and 827 to refer to this definition and conditional use requirement; and making findings, including findings of consistency with the Priority Policies of Planning Code Section 101.1 and environmental findings.

4/22/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/22/2008.

080568 **[Refunding or Conversion of Laguna Honda Variable Rate Demand General Obligation Bonds, Series 2005B, Series 2005C and Series 2005D-$120,000,000]** **Mayor**

Ordinance approving the form and authorizing the execution of refunding bonds to refinance, in whole and/or in part, the $120,000,000 City and County of San Francisco Variable Rate Demand General Obligation Bonds (Laguna Honda Hospital, 1999) Series 2005B, Series 2005C and 2005D (the "Prior Variable Rate Bonds") or approving the conversion of said bonds; approving the form and authorizing the execution of a Declaration of Trust relating to the refunding bonds; approving the tax levy for repayment of the refunding bonds; authorizing the appointment of the Treasurer as paying agent and the appointment of agents for the refunding bonds; authorizing the form of an Official Notice of Sale and Notice of Intention to Sell, and authorizing the City's compliance with a Continuing Disclosure Agreement relating to the refunding bonds; directing the publication of the Notice of Intention to Sell Bonds; approving the form of an Official Statement in preliminary and final form and authorizing the execution and delivery of a final Official Statement relating to the refunding bonds; approving the execution of a Bond Purchase Contract and authorizing the appointment of underwriters relating to the converted bonds; approving the form of an Official Statement Supplement in final form and authorizing the execution and delivery of a final Official Statement Supplement relating to the converted bonds; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take all necessary action in connection with the authorization, issuance, sale and delivery of said bonds or the conversion of said bonds.

4/22/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Resolutions

080560 [Grant to support the International Mobility of HIV study - $119,181] **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of $119,181 from the University of California, San

Francisco (UCSF), to support a study entitled "International Mobility of HIV," for the period of September 30, 2007 through August 31, 2008.

4/22/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080561 [Funds to support HIV vaccine research - $139,432] **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of $139,432 from the Public Health Foundation Enterprises (PHFE); for the period of January 1, 2008 through December 31, 2008.

4/22/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080562 [Grant to support the Safe Routes to School Project - $500,000] **Supervisors Elsbernd, Chu**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend funds from the California Department of Transportation (CalTrans) in the amount of $500,000 to support the Safe Routes to School Project, including one educational services consultant contract in the total amount of $135,541 for the period of September 1, 2008 through August 31, 2010; and to delegate authorization to execute these agreements and any amendments thereto to the Director of Public Health.

4/22/08, RECEIVED AND ASSIGNED to City and School District Select Committee.

080563 [Eliminating Health Care Disparities] **Supervisor Maxwell**

Resolution outlining the Board of Supervisor's commitment to eliminating health disparities and adopting the Leading Health Indicators set by Healthy People 2010 as the basis for public health priority-setting and decision-making.

4/22/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080569 [Memorandum of Agreement between the Treasure Island Development Authority and the San Francisco County Transportation Authority relating to Yerba Buena Island Ramps - not to exceed **Mayor**

Resolution authorizing a Memorandum of Agreement between the Treasure Island Development Authority and the San Francisco County Transportation Authority for project management services and consultant services for the preparation of a Project Report and Environmental Document for the Yerba Buena Island Ramps in an amount not to exceed $3,000,000.

4/22/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080571	**[Commendation of Lorraine Woodruff-Long]**	**Supervisors Elsbernd, Chu, Dufty**

Resolution commending Lorraine Woodruff-Long for her service to San Francisco parents through the organization Parents for Public Schools of San Francisco.

4/22/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080572	**[Small Business Week - May 12 - 17, 2008]**	**Supervisors Dufty, Maxwell, Alioto-Pier, Chu**

Resolution proclaiming May 12, 2008 to May 17, 2008 Small Business Week in San Francisco.

4/22/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080573	**[Commending Officer Daryl Deen on 24 years of service to the San Francisco Police Department]**	**Supervisor Dufty**

Resolution commending San Francisco Police Department Officer Daryl Deen for 24 years of service.

4/22/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080574 [Hepatitis B Free Week in San Francisco - May 10 - 17, 2008] **Supervisor Chu**

Resolution declaring May 10 - 17, 2008 Hepatitis B Free Week in the City and County of San Francisco.

4/22/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080575 [State Grant to support the High Risk (Pest Exclusion) Program - $66,325] **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH), to retroactively accept and expend funds from the California Department of Food and Agriculture (CDFA) in the amount of $66,325 in support of the High Risk (Pest Exclusion) Program, for the period of July 1, 2007 through June 30, 2008.

4/22/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080576 [Approval of a one year extension for Planning Commission review] **Supervisor Alioto-Pier**

Resolution extending by an additional 365 days (one year) the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would add Planning Code Sections 320, 320.1, 320.2 and 320.3 establishing a process to permit the adoption or expenditure of neighborhood impact fees as defined in the ordinance only after the Planning Department has conducted or caused to be conducted an impact study supporting the imposition of such a fee and making environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

4/22/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Hearings

080557 [Smart Grid Technology] **Supervisor Alioto-Pier**

Hearing to examine the use of Smart Grid technology in San Francisco.

4/22/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080558 [Mills Act program requirements] **Supervisor Alioto-Pier**

Hearing on the Mills Act program requirements.

4/22/08, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

080509 [Settlement of Lawsuit - Debra Denise Reed - $65,000]

Ordinance authorizing settlement of the lawsuit filed by Debra Denise Reed against the City and County of San Francisco for $65,000; the lawsuit was filed on November 22, 2006 in San Francisco Superior Court, Case No. 458-146; entitled Debra Denise Reed, et al., v. City and County of San Francisco, et al (City Attorney)
4/9/08, RECEIVED AND ASSIGNED to Rules Committee.

080510 [Settlement of Lawsuit - Jail No. 3 Replacement Project Cases, San Mateo County, JCCP Case No: 4422]

Ordinance authorizing settlement of the coordinated lawsuits, entitled Jail No. 3 Replacement Project Cases, San Mateo County, JCCP Case No: 4422, filed by AMEC Construction Management, Inc. ("ACMI") against the City and County of San Francisco, and filed by the City and County of San Francisco and the People of the State of California ("San Francisco") against ACMI, its parent and sister companies, its Surety companies, and its bond broker. (City Attorney)
4/9/08, RECEIVED AND ASSIGNED to Rules Committee.

080512 [Hunters Point Shipyard - Street Vacation Order]

Ordinance ordering the vacation of portions of Innes Avenue, Galvez Avenue and Donahue Street in

Hunters Point Shipyard Parcel "A1"and all of Navy Road in Hunters Point Shipyard Parcel "A2" along with public service easements that may exist in Parcels A1 and A2; making environmental findings and findings of consistency with the City's General Plan, Planning Code Section 101.1, and the Hunters Point Redevelopment Plan; quitclaiming the City's interest in the vacation areas; reserving easement rights for a City combined sewer line and facilities; accepting Department of Public Works Order No. 177,478; and authorizing official acts in connection with this Ordinance. (Public Works Department) (Pending approval of File No. 080511 this matter will be continued to the July 8, 2008 Board of Supervisors meeting for a public hearing to be held at 4:00 p.m.)

4/10/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

080511 [Hunters Point Shipyard - Resolution of Intent for Street Vacation]

Resolution declaring the intention of the Board of Supervisors to vacate portions of Innes Avenue, Galvez Avenue and Donahue Street, in Hunters Point Shipyard Parcel "A1" along with public service easements that may exist in Parcel A1, all of Navy Road on Hunters Point Shipyard Parcel "A2" along with public service easements that may exist in

Parcel A2; vacate any easements that may exist between the vacated areas in Parcel "A1" and "A2" as described in Ordinance No. 24-05; reserve a non-exclusive easement for the City combined sewer pipeline and appurtenant facilities within Navy Road; setting a hearing date of for all persons interested in the proposed vacation of said street areas and public service easements. (Public Works Department)
4/10/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee. 5/8/08 - Mailed notice to persons on DPW mailing list.

080540 [Authorizing the Committee on Information Technology to amend its contract with Central Computer Systems to increase its contract amount to $29,000,000]
Resolution authorizing the Office of Contract Administration to enter into the Seventh Amendment to the Agreement between the City and Central Computer Systems (part of the Computer Store procurement vehicle), in which the amendment shall increase the contract amount from $25 million to $36 million. (Office of Contract Administration)
(Fiscal Impact.)
4/11/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080541 **[Authorizing the Office of Contract Administration to amend its contract with En Pointe to increase the contract amount to $43,000,000]**

Resolution authorizing the Office of Contract Administration to enter into the Eighth amendment between the City and En Pointe (part of the Computer Store procurement vehicle), in which the amendment shall increase the contract amount from $35 million to $49 million. (Office of Contract Administration)

(Fiscal Impact.)

4/11/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080542 **[Authorizing the Office of Contract Administration to amend its contract with Micromenders/GC Micro to increase the contract amount to $18,000,000]**

Resolution authorizing the Office of Contract Administration to enter into the Sixth amendment between the City and Micromenders/GC Micro (part of the Computer Store procurement vehicle), in which the amendment shall increase the contract's amount to $25 million. (Office of Contract Administration)

(Fiscal Impact.)

4/11/08, RECEIVED AND ASSIGNED to Government

Audit and Oversight Committee.

080543 [Authorizing the Office of Contract Administration to amend its contract with Xtech to increase the contract amount to $64,000,000]

Resolution authorizing the Office of Contract Administration to enter into the Tenth Amendment between the City and Xtech (part of the Computer Store procurement vehicle), in which the amendment shall increase the contract amount from $51 million to $70 million. (Office of Contract Administration)

(Fiscal Impact.)

4/11/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080544 [Approve SOMA Community Stabilization Fund Strategic Plan]

Resolution approving the SOMA Community Stabilization Fund 2008 Strategic Plan. (Mayor)

4/14/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Sandoval

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting that the Department of Parking and Traffic investigate the appropriateness of installing a traffic light on Alemany Boulevard at either Theresa or Cotter Streets.

From: Supervisor Sandoval

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting that the Department of Parking and Traffic study the feasibility of installing a 4-way stop sign to stop traffic at the intersection of Brunswick and Concord Streets. Further requesting that a copy of the letter be sent to:

Gloria Ortega
251 Concord Street
San Francisco, CA 94112

From: Supervisor Sandoval

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting that the Department of Parking and Traffic conduct a speed assessment on the 300 Block of Maynard Street to determine the appropriateness of installing speed bumps on that block. Further requesting that a copy of this inquiry be sent to:

Jorge Vega
381 Maynard Street
San Francisco, CA 94112

From: Supervisor Ammiano

To: Director, Department of Recreation and Park

Requesting/Inquiring: After several delays and funding crises over the years, Rolph Playground and Potrero del Sol were to have construction completed by January 20, 2008. The summer is fast approaching and we still do not have a firm opening date, though the latest tentative date is not until August. The skate park is completed at Potrero del Sol and the skaters are *very anxious to gain access to that area. Buena Vista Elementary School was the main catalyst in the improvements to Poterero del Sol Park. The school hosted all the community meetings, including the playground design, skate park design and visits from state grant officers. The school also solicited and was awarded 5*

In Memoriams

Sammy Brown - Supervisor Dufty
Jose Simon - Supervisor Ammiano

ADJOURNMENT

There being no further business the Board adjourned at the hour of 4:01 p.m.
Angela Calvillo, Clerk of the Board
N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.
Approved by the Board of Supervisors on June 3, 2008.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4188 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPA¥OL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7719

Disability access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.
The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.
There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

April 29, 2008

GOVERNMENT
DOCUMENTS DEPT

JAN - 9 2009

SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

Tuesday, April 29, 2008

2:00 PM

Legislative Chamber - Second Floor

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU,

CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present:	*Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*
Members Excused:	*Michela Alioto-Pier, Jake McGoldrick.*
Members Absent:	*None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll Supervisors Alioto-Pier and McGoldrick were noted absent.
There was a quorum present.

Supervisors Alioto-Pier and McGoldrick Excused from Attendance

Supervisor Dufty, seconded by Supervisor Maxwell, moved to excuse Supervisors Alioto-Pier and McGoldrick from attendance. The motion carried by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

CONSENT AGENDA

Recommendations of the City Operations and Neighborhood Services Committee

080435 **[Funds to support Department of Public Health Emergency Preparedness - $468,469]** **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of $468,469 from the California Department of Public Health (CDPH) Emergency Preparedness Office, to fund the Hospital Preparedness Program; for the period of September 1, 2007 through August 8, 2008.

Enacted Number: 214-08

ADOPTED

080439 **[Grant to fund rapid HIV tests in San Francisco - $781,839]** **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH), to accept and expend retroactively a new three-year grant from the California Department of Public Health (CDPH) in the amount of $731,070, including a retroactive contract with University of California - San Francisco (UCSF) which includes a 12 percent contingency for a total of $781,839 to support the project entitled "Expanded and Integrated Human Immunodeficiency

Virus (HIV) Testing of Populations Disproportionately Affected by HIV (Primarily African Americans);" for the period of October 1, 2007 through September 30, 2010.

Enacted Number: 212-08

ADOPTED

080440 **[Grant to support technical assistance for an HIV/AIDS project - $215,928]** **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH), to accept and expend retroactively a new grant from the Bill and Melinda Gates Foundation in the amount of $215,928, including a retroactive contract with Public Health Foundation Enterprises, Inc. (PHFE) in the amount of $207,198, for the "China MSM: Technical Assistance" project; for the period of January 1, 2008 through December 31, 2008.

Enacted Number: 213-08

ADOPTED

080452 **[Gift of up to $300,000 - private, Department of Public Health]**

Resolution authorizing the Department of Public Health, Community Behavioral Health Services to retroactively accept a gift of Buprenorphine medication from Reckitt Benkiser Pharmaceuticals with a monetary value of up to $300,000 for the period of March 1, 2008 through August 31, 2008 for ongoing and new patients receiving Opiate Replacement Treatment in San Francisco. (Public Health Department)

Enacted Number: 211-08

ADOPTED

080476 **[Grant funds to support nutrition services - $343,000]** **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend a three-year grant in the amount of $343,000 from the Vitamin Cases Consumer Settlement Fund to support the "Women's Nutritional Awareness Project," for the period of July 1, 2008 through June 30, 2011.

Enacted Number: 209-08

ADOPTED

Recommendations of the Rules Committee

080458 **[Settlement of Claim - Christopher L. Blackstock-**

$40,000]

Resolution approving the settlement of the unlitigated claim filed by Christopher L. Blackstock against San Francisco for $40,000; claim was filed on September 13, 2007. (City Attorney)

Enacted Number: 210-08

ADOPTED

080378 [Appointment - Sweatfree Procurement Advisory Group- Jamie Crook]

Motion appointing Jamie Crook, term ending December 17, 2009, to the Sweatfree Procurement Advisory Group.

Jamie Crook, succeeding Christina Martinez, term expired, seat 4, must be member of the public, for the unexpired portion of a two-year term ending December 17, 2009.

Enacted Number: M08-72

APPROVED

080429 [Appointments - In-Home Supportive Services- Alice Wong, Sharon Brunn and Rosie Byers]

Motion appointing Alice Wong, Sharon Brunn and Rosie Byers, terms ending March 1, 2011, to the In-Home Supportive Services Public Authority.

Alice Wong, succeeding herself, term expired, seat 13, must be consumer at-large who is 18 years of age or older, for term ending March 1, 2011. Sharon Brunn, succeeding herself, term expired, seat 3, must be consumer at-large over the age of 55, for term ending March 1, 2011. Rosie Byers, succeeding herself, term expired, seat 12, must be member representating the bargaining unit of the union that represents IHSS independent providers, for term ending March 1, 2011.

Enacted Number:	M08-74

APPROVED

080432 [Appointments - Bicycle Advisory Committee- Mark Hostenpiller and Jake Wegmann]

Motion appointing Mark Hostenpiller and Jake Wegmann, terms ending November 19, 2008, to the Bicycle Advisory Committee.

Mark Hostenpiller, succeeding Francisco Hernandez, term expired, seat 9, must be a nominee of District 9 Supervisor. The member must serve a two-year term or for the tenure of the Superivsor who nominated the member, whichever is shorter in duration, for term ending November 19, 2008. Jake Wegmann, succeeding Hitesh Soneji, term expired, seat 6, must be a nominee of District 6 Supervisor. The member must serve a two-year term or for the tenure of the Superivsor who nominated the member, whichever is shorter in duration, for term ending November 19, 2008.

Enacted Number: M08-76

APPROVED

080433 [Appointments - Commission on the Aging Advisory Council- Lila McCarthy and Anna Maria Pierini]

Motion appointing Lila McCarthy and Anna Maria Pierini, terms ending March 31, 2010, to the Commission on the Aging Advisory Council, residency requirement waived.

Lila McCarthy, succeeding herself, term expired, seat 1, must be nominee of District 2 Supervisor, for a two-year term ending March 31, 2010. Anna Maria Pierini, succeeding herself, term expired, seat 4, must be nominee of District 3 Supervisor, for a two-year term ending March 31, 2010 (residency requirement waived).

Enacted Number: M08-77

APPROVED

080454 [Settlement of Lawsuit - John Weatherspoon III- $5,150,000.00]

Ordinance authorizing settlement of the lawsuit filed by John Weatherspoon III, by and through his

Guardian Ad Litem, Barbara Weatherspoon against the City and County of San Francisco for $5,150,000.00; the lawsuit was filed on May 9, 2006 in San Francisco Superior Court, Case No. 452-083; entitled John Weatherspoon III, by and through his Guardian Ad Litem, Barbara Weatherspoon v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

080455 [Settlement of Lawsuit - Marnix Van Ammers and Jean Walker- $70,000.00]

Ordinance authorizing settlement of the lawsuit filed by Marnix Van Ammers and Jean Walker against the City and County of San Francisco for $70,000.00; the lawsuit was filed on April 9, 2007 in the San Francisco Superior Court, Case No. 462-146; entitled Van Ammers, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

080456 [Settlement of Lawsuit - Jane Martin- $75,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by Aristides Cisneros and Shirley Kollman against the City and County of San Francisco for $75,000; the lawsuit was filed on January 31, 2005 in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

080457 [Settlement of Lawsuit - Margarita Hill- $55,000]

Ordinance authorizing settlement of the lawsuit filed by Margarita Hill against the City and County of San Francisco for $55,000; the lawsuit was filed on December 12, 2006 in San Francisco Superior Court, Case No. 458664; entitled Margarita Hill v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

080334 [Settlement of Lawsuit - CCSF v. Pacific Gas & Electric Company, et al. - $357,036.43]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Pacific Gas and Electric Co., et al. on June 20, 2005, in San Francisco Superior Court, Case No. CGC-05-442416, entitled, City and County of San Francisco, a municipal corporation v. Pacific Gas and Electric Co., a corporation, Stacy and Witbeck/Esquivel, a joint venture, Stacy and Witbeck, Inc., a corporation, Esquivel Grading and Paving, Inc., a corporation, Bauman Landscape, Inc., a corporation, and DOES 1 to 25, inclusive. (City Attorney)

PASSED, ON FIRST READING

The foregoing items were acted upon by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Excused: 2 - Alioto-Pier, McGoldrick

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

080359 [Appropriating $6,593,103 for Officer Training, Inmate Housing Cost Overruns, and Compensatory Time Off for the Sheriff and Public Health Departments for Fiscal Year 2007-2008] **Mayor**

Ordinance de-appropriating $323,886 of General Fund and appropriating $600,000 of Sheriff Inmate Program Beginning Fund Balance, $269,044 of Peace Officer Training funds, and $5,400,173 of General Fund Reserve for peace officer training and cost overruns related to inmate housing and Compensatory Time Off in the Sheriff's Department,

and jail health services in the Department of Public Health for a total appropriation of $6,593,103 for Fiscal Year 2007-2008.
(Fiscal Impact.)

Enacted Number: 79-08

FINALLY PASSED by the following vote:

Ayes: 8 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Sandoval
Noes: 1 - Peskin
Excused: 2 - Alioto-Pier, McGoldrick

080444 **[Appropriating $275,237 of Beginning Fund Balance for Grievance Arbitration Expenses and Workers' Compensation Settlement Costs in the War Memorial for Fiscal Year 2007-2008]** **Mayor**

Ordinance appropriating $275,237 of Beginning Fund Balance for Grievance Arbitration Expenses and Workers' Compensation Settlement Costs in the War Memorial for Fiscal Year 2007-2008.
(Fiscal Impact.)

Enacted Number: 77-08

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

Recommendation of the Government Audit and Oversight Committee

080481 [Settlement of Lawsuits - M-J SF Investments, LLC - $5,163] **Supervisor Peskin**

Ordinance authorizing settlement of two lawsuits filed by M-J SF Investments, LLC, against the City and County of San Francisco for $5,163 in costs to the City and County of San Francisco; the first lawsuit was filed on April 6, 2006, in San Francisco Superior Court, Case No. CGC-06-451001; entitled M-J SF Investments, LLC, et al., v. City and County of San Francisco, et al; the second lawsuit was filed on September 21, 2007, in San Francisco Superior Court, Case No. CPF-07-507496; entitled M-J SF Investments, LLC, et al., v. City and County of San Francisco, et al; other material terms of said settlement are set forth in the Settlement Agreement and Release of Claims contained in Board of Supervisors File No. 080481.

Enacted Number: 78-08

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

Recommendations of the Land Use and Economic Development Committee

071531 [Amending the Planning Code to include properties in the proposed Excelsior Alcohol Restricted Use District in the Fringe Financial Service Restricted Use District and making related Zoning **Supervisor Sandoval**

Ordinance amending San Francisco Planning Code Sections 249.35, 711, and 712 to include properties in the proposed Excelsior Alcohol Restricted Use District in the Fringe Financial Service Restricted Use District prohibiting new fringe financial services, as defined, with certain exceptions, including properties in the Assessor's Blocks fronting on both sides of Mission Street from Silver Avenue to the Daly City border; amending Special Use District Maps Numbers SU11 and SU12 of the Zoning Map of the City and County of San Francisco to define the boundaries of the Fringe Financial Service Restricted Use District; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Enacted Number: 75-08

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

080279 [Landmark Designation of 900 **Supervisor**

Innes Avenue (Shipwright's Cottage)] **Maxwell**

Ordinance designating 900 Innes Avenue (Shipwright's Cottage) as a Landmark under Planning Code Article 10; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.

Enacted Number: 76-08

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

NEW BUSINESS

Recommendation of the City Operations and Neighborhood Services Committee

071294 **[Climate change goals and action plan]** **Supervisor Mirkarimi**

Ordinance amending the San Francisco Environment Code by adding Chapter 9, Sections 900 through 908, to establish City greenhouse gas emissions targets and departmental action plans, to authorize the Department of the Environment to coordinate efforts to meet these targets, and to make environmental findings.

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Ordinance be

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

Recommendation of the Government Audit and Oversight Committee

080485 [General Obligation Refunding Bonds] Mayor

Resolution approving the form of and authorizing the distribution of a preliminary official statement relating to the issuance of City and County of San Francisco General Obligation Refunding Bonds and authorizing the preparation, execution and delivery of a final official statement; acknowledging the receipt of certain information relating to such Refunding Bonds; ratifying the approvals and terms and conditions of a previous resolution; and related matters.

Enacted Number: 202-08

ADOPTED by the following vote:
Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

Recommendation of the Land Use and Economic Development Committee

071674 [Zoning - Amending Superseded Height and Bulk Provisions in the North Beach NCD] **Supervisor Peskin**

Ordinance amending the San Francisco Planning Code by amending Section 722.1 and the Zoning Control Table in Section 722 to delete building height and bulk provisions superseded by Ordinance No. 20-88 and adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:
Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

Recommendations of the Rules Committee

080423 [Appointment, Planning Commission - Ron Miguel]

Motion approving the Mayor's appointment of Ron Miguel to the Planning Commission term ending June 30, 2008. (Mayor)
(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - March 25, 2008.)

Enacted Number: M08-73

APPROVED by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

080430 [Confirming the reappointment of Thomas Mazzucco to the San Francisco Police Commission] **Mayor**

Motion confirming the Mayor's nomination of, and reappointing, Thomas Mazzucco to the San Francisco Police Commission for a four-year term ending April 30, 2012.
(Section 4.109 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board.

If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - March 28, 2008.)

Enacted Number: M08-75

APPROVED by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Excused: 2 - Alioto-Pier, McGoldrick

RECESS

The Board recessed at the hour of 2:46 p.m.

Reconvening of the Board

The Board reconvened at the hour of 4:06 p.m.

The following Supervisors were noted present:

Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin - 8

Supervisor Sandoval was noted absent.

Supervisors Alioto-Pier and McGoldrick were previously excused.

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Supervisor Dufty introduced, welcomed and presented a Certificate of Honor to William F. Wilkinson.

SPECIAL ORDER 4:00 P.M.

070967 [Public Hearing - Appeal of Minor Sidewalk Encroachment for 1166 Haight Street]

Hearing of persons interested in or objecting to the decision of the Department of Public Works, by its letter dated June 13, 2007, approving a request of Minor Sidewalk Encroachment Permit to construct a warped driveway ramp and two (2) planter boxes to encroach 3'-0" into the public sidewalk right-of-way (25% of the sidewalk width as allowed by Article 15, Section 723.2 of the Public Works Code) fronting the property at 1166 Haight Street to provide access to a proposed garage below grade. (Appellant: Raquel Fox.)

(Filed June 28, 2007; companion measure to Files 070968, 070969; District 5.)

Continued to July 29, 2008.

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

(Only one of the following two motions should be approved.)

070968 [Minor Sidewalk Encroachment Permit Appeal for 1166 Haight Street]

Motion disapproving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 1166 Haight Street and denying the Encroachment Permit.

Continued to July 29, 2008.

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

070969 [Minor Sidewalk Encroachment Permit Appeal for 1166 Haight Street]

Motion approving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 1166 Haight Street and denying the appeal.

Continued to July 29, 2008.

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

SPECIAL ORDER 4:00 P.M.

080460 [Public Hearing - Conditional Use Appeal for 1575 South Van Ness Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Commission dated March 13, 2008, relating to the disapproval of a Conditional Use Authorization (Case No. 2007.1456C), under Planning Code Sections 703.3 and 703.4 to allow a Formula Retail Use paint store (dba ICI Paints) within a Moderate Scale (NC-3) Neighborhood Commercial District on property located at 1575 South Van Ness Avenue; Lot 027 in Assessor's Block 6571.

The Commission could not affirmatively vote to either approve or disapprove the application due to a 3-3 split on the Commission. In the absence of an affirmative action, the project is considered disapproved by the Commission. (Appellant: Paul R. Johnson on behalf of The Glidden Company dba ICI Paints.)
(Filed April 4, 2008; companion measure to Files 080461, 080462, 080463; District 9.)

The President inquired as to whether any member of the public wished to address the Board members.
Paul Johnson; Attorney for the appellant
male speaker; support of the appellant
Don Becker; support of the appellant
Matthew Grey; support of the appellant
Pat McKnown; support of the appellant
Ricardo Areno; support of the appellant
Bob Eacot; support of the appellant
John Wetner; support of the appellant
Kent Ante; support of the appellant
Tara Sullivan, Representative of the Planning Department, reviewed with the Board the Planning Department's recommendation with the Board members.
Leora Zestil; support of the Planning Commission
Rick Carp; support of the Planning Commission
Laura Reeds; support of the Planning Commission
Amy Sullivan; support of the Planning Commission
Julie Angelet; support of the Planning Commission
Kevin Kitner; support of the Planning Commission
Eric Qudzada; support of the Planning Commission
Judith Burkowitz; support of the Planning Commission
Rebuttal Period:
Paul Johnson; Attorney for the appellant
The President declared the public hearing closed.

Supervisor Ammiano, seconded by Supervisor Dufty, moved that this Hearing be FILED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin

Absent: 1 - Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

(Only one of the following two motions should be approved.)

080461 [Disapproving Conditional Use Application for property located at 1575 South Van Ness Avenue]

Motion approving decision of the Planning Commission disapproving Conditional Use Application 2007.1456C on property located at 1575 South Van Ness Avenue.

Supervisor Elsbernd, seconded by Supervisor Maxwell, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 8 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

Continued to May 6, 2008.

Supervisor Ammiano, seconded by Supervisor Dufty, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin
Absent: 1 - Sandoval

Excused: 2 - Alioto-Pier, McGoldrick

080462 [Approving Conditional Use Application for property located at 1575 South Van Ness Avenue]

Motion disapproving decision of the Planning Commission disapproving Conditional Use Application 2007.1456C on property located at 1575 South Van Ness Avenue.

Supervisor Elsbernd, seconded by Supervisor Maxwell, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 8 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

Continued to May 6, 2008.

Supervisor Ammiano, seconded by Supervisor Dufty, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

080463 [Findings - 1575 South Van Ness Avenue Conditional Use Application Appeal]

Motion directing the Clerk to prepare findings related to the proposed Conditional Use Application 2007.1456C on property located at 1575 South Van Ness Avenue.

Continued to May 6, 2008.

Supervisor Ammiano, seconded by Supervisor Dufty, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of *the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.*

James Chaffee; expressed concern with issues relating to the SF Public Library
Walter; expressed concern with various issues
Silvia Johnson; express concern with various issues
Eugene Gordon Jr.; expressed concern with various issues
John Di Donna; expressed concern with various issues
Male speaker; expressed concern with China's government
Allen Zin; expressed concern with China's government
Male speakers; expressed concern with identification of voters

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

080571 [Commendation of Lorraine Woodruff-Long] **Supervisors Elsbernd, Chu, Dufty**

Resolution commending Lorraine Woodruff-Long for her service to San Francisco parents through the organization Parents for Public Schools of San Francisco.

Supervisors Chu and Dufty requested to be added as co-sponsors.

Enacted Number: 207-08

ADOPTED

080572 [Small Business Week - May 12 - 17, 2008] **Supervisors Dufty, Maxwell, Alioto-Pier, Chu**

Resolution proclaiming May 12, 2008 to May 17, 2008 Small Business Week in San Francisco.

Supervisor Chu requested to be added as a co-sponsor.

Enacted Number: 206-08

ADOPTED

080573 [Commending Officer Daryl Deen on 24 years of service to the San Francisco Police Department] **Supervisor Dufty**

Resolution commending San Francisco Police Department Officer Daryl Deen for 24 years of service.

Enacted Number: 205-08

ADOPTED

080574 [Hepatitis B Free Week in San Francisco - May 10 - 17, 2008] **Supervisor Chu**

Resolution declaring May 10 - 17, 2008 Hepatitis B Free Week in the City and County of San Francisco.

Enacted Number: 204-08

ADOPTED

080575 [State Grant to support the High Risk (Pest Exclusion) Program - $66,325] **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH), to retroactively accept and expend funds from the California Department of Food and Agriculture (CDFA) in the amount of $66,325 in support of the High Risk (Pest Exclusion) Program, for the period of July 1, 2007 through June 30, 2008.

Enacted Number: 203-08

ADOPTED

080532 [Proclaiming May 1, 2008 to be International Workers' Day, affirming San Francisco as a Sanctuary City, and urging the Congress of the United States to repeal the REAL ID Act of 2005]

Supervisors Sandoval, Ammiano

Resolution proclaiming May 1, 2008 to be International Workers' Day, affirming San Francisco as a Sanctuary City, and urging the Congress of the United States to repeal the REAL ID Act of 2005.

Enacted Number: 208-08

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Excused: 2 - Alioto-Pier, McGoldrick

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

080591	**[Local Business Enterprise and Non-Discrimination in Contracting Bonding and Financial Assistance Program]**	**Supervisors Elsbernd, Maxwell, Chu**

Ordinance extending the term of the bonding assistance program to end on the earlier of (1) June 30, 2013 or (2) the date on which the Controller is no longer able to certify the availability of funds for any new guarantee agreement.

4/29/08, RECEIVED AND ASSIGNED to Rules Committee.

080592	**[Appropriating $272,515,000 of COP Revenue for the San Francisco Public Utilities Commission Electrical Reliability Power Project for Fiscal Year 2007-2008]**	**Supervisors Maxwell, Peskin**

Ordinance appropriating $273,015,000 of San Francisco Certificates of Participation 2008 Series B and 2008 Series C to fund the San Francisco Electrical Reliability Project also referred to as the Combustion Turbine projects in the Public Utilities Commission for FY 2007-2008.

(Fiscal Impact.) (Supervisor Alioto-Pier dissented in committee.)

4/29/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080593 [Appropriating $1,289,141 of interest earned for improvements to the California Academy of Sciences in the Recreation and Park Department for Fiscal Year 2007-2008] **Mayor**

Ordinance appropriating $1,289,141 of interest earned for improvements to the California Academy of Sciences in the Recreation and Park Department for Fiscal Year 2007-2008.
(Fiscal Impact.)
4/29/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080594 [Prohibiting pharmacies from selling tobacco products] **Mayor**

Ordinance amending the San Francisco Health Code by amending Section 1009.53 and adding Section 1009.60 and Article 19J, to prohibit pharmacies from selling tobacco products.
Economic Impact.
4/29/08, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 5/29/2008. (Referred to the Small Business Commission for comment and recommendation.)

Resolutions

080590 [Airport Capital Plan Bonds - not to exceed $718,000,000] **Supervisor Chu**

Resolution approving the issuance of not to exceed $718,000,000 aggregate principal amount of San Francisco International Airport Second Series Revenue Bonds for the purpose of financing and refinancing the construction, acquisition, equipping and development of capital projects undertaken by the Airport constituting part of the Airport's capital plan.

(Fiscal Impact.)

4/29/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080597 [Supporting Assembly Bill 3034, the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century] **Supervisors Peskin, Dufty, Mirkarimi, Elsbernd, Daly, Ammiano, Maxwell, McGoldrick, Sandoval, Chu, Alioto-Pier**

Resolution supporting Assembly Bill 3034, the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century.

4/29/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080598 [Urging the California State **Supervisor**

Assembly to support the passage of Assembly Bill 2153] **Ammiano**

Resolution urging the California State Assembly to support the passage of Assembly Bill 2153 and directing the City's lobbyist to work towards this end.

4/29/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080599 **[Gift to City of travel from San Francisco Chamber of Commerce for 2008 CityTrip]** **Supervisor Peskin**

Resolution accepting a gift of airfare, accommodations, and conference fees valued in an amount of $6,500 from the San Francisco Chamber of Commerce for two City officials or employees to join the Chamber of Commerce on its 2008 CityTrip to Los Angeles.

4/29/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080600 **[Declaring the City's intention to appropriate available Rainy Day Reserve funds to the San Francisco Unified School District]** **Mayor, Supervisors Ammiano, Dufty**

Resolution declaring the City's intention to appropriate available Rainy Day Reserve funds to the San Francisco Unified School District, to help the

District cope with the loss of State funding for the 2008-2009 school year.

4/29/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080589 [Agreement to Accept the Dolores Hotel Located at 35-37 Woodward Street]

Resolution approving and authorizing the execution and performance of an Agreement to Transfer and an Irrevocable Assignment and Assumption Agreement and Amendment to Loan Documents relating to the property commonly known as Dolores Hotel and located at 35-37 Woodward Street; adopting findings that the transfer is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this Resolution. (Real Estate Department)

Motions

080596 [Directing the Budget Analyst to conduct an audit of the SFMTA Proof of Payment Program to determine its effectiveness] **Supervisor Dufty**

Motion directing the Budget Analyst to conduct a review of the San Francisco Municipal Transit Agency's (SFMTA) Proof of Payment Program to determine the effectiveness of the Proof of Payment Program over the past 3 years and the effectiveness of Transit Fare Inspectors and Station agents in preventing fare evasion.

4/29/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Hearings

080586 [Implementation of the City's Trash Receptacle Ordinance (File 070020)] **Supervisors Dufty, Ammiano**

Hearing to consider implementation of the City's Trash Receptacle Ordinance (File 070020), including a review of citations, concern for locations where it is not possible to provide off-street storage for garbage/recycling/compost toters, fairness regarding Ordinance requirements that toters be removed by 6:00 p.m. even for people who work late and feedback from DPW regarding the volume of complaints and possible ways to improve the Ordinance.

4/29/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080587 [Controller's Nine month Budget Status Report for FY 2007-2008] **Supervisor McGoldrick**

Hearing on the Controller's Nine month Budget Status Report for FY 2007-2008.

4/29/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080588 [City and County funding of the Arts] **Supervisor Ammiano**

Hearing to consider the City and County funding of the Arts in fiscal years 2005-2006, 2006-2007 and 2007-2008.

4/29/08, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

080514 [Increasing Street Artist Certificate Fee and Increasing Rate of Compensation for the Advisory Committee of Street Artists and Crafts Examiners]

Ordinance amending Article 24 of the San Francisco Police Code by amending Section 2404.1 to increase the fee for a Street Artist Certificate and amending Section 2402 to increase the rate of compensation for the Advisory Committee of Street Artists and Craftsmen Examiners, and making environmental findings. (Arts Commission)

(Supervisor Daly dissented in committee.)

4/15/08, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/15/2008.

04/29/08 - Referred to the Small Business Commission for review and comment. 04/29/08 - Referred to Planning for determination of environmental impact. 05/02/08 - Response received from Planning, exempt from CEQA. 05/08/08 - Fee ad placed in the SF Chronicle to be published on 5/10/08 and 5/17/08.

PROPOSED RESOLUTIONS

080515 [Lease of Real Property at 1 Dr. Carlton B. Goodlett Place, North Light Court]

Resolution authorizing the lease of 2,400 square feet of space to Juma Ventures, Inc., a California non-profit corporation, in City Hall located at 1 Dr. Carlton B. Goodlett Place. (Real Estate Department) 4/21/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Requests Granted

From: Supervisor Dufty
To: Controller
Requesting/Inquiring: Requesting that the Controller study effectiveness of the organization of the Patrol Special Police as supervised by the San Francisco Police Department.
Are there any deficiencies in current rules and regulations; what recommended rules, regulations, and policies should be implemented; about the

effectiveness of background checks for applicants to the Patrol Special Police; should the Patrol Special Police have adopted national best practices; communication and integration with SFPD; and how the legal analysis of the Patrol Special Police completed by the City Attorney has been received by SFPD and the Patrol Special Police.
From: Supervisor Dufty
To: Clerk of the Board
Requesting/Inquiring: Requesting that the Clerk of the Board of Supervisors writes to Dr. Lee Sang-mook inviting Dr. Sang-mook to visit the Board of Supervisors during his trip to San Francisco, scheduled for December of this year, and receive a special commendation from the Board of Supervisors for his unparalleled work with marine geophysics in Korea and his advocacy on behalf of the disabled community in South Korea.
From: Supervisor Dufty, Maxwell, and Ammiano
To: Director, Department of Redevelopment Agency
To: Director, Office of the Economic and Workforce Development
To: Director, Planning Department
To: Director, Small Business Commission
Requesting/Inquiring: Requesting that the San Francisco Redevelopment Agency, the Office of Economic and Workforce Development, the Planning Department, and the Small Business Commission provide an outline of information and potential options on creating a Home Improvement District along Bayshore Boulevard that has a green and sustainable overlay and character. These recommendations should

include incentives for green building suppliers and

In Memoriams

Paul Wonner - Supervisor Dufty
James "Jimmy" Guerre - Supervisor Dufty
Kenneth Arthur, Jr. - Supervisor Maxwell
Maria Crotti - Supervisor Peskin
Libania "Libby" De Souza - Supervisor Peskin
Jason Roger Mosley - Supervisor Mirkarimi

ADJOURNMENT

There being no further business the Board adjourned at the hour of 5:28 p.m.
Angela Calvillo, Clerk of the Board
N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.
Approved by the Board of Supervisors on June 3, 2008.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4188 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPA¥OL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7719

Disability access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

GOVERNMENT
DOCUMENTS DEPT

JAN - 9 2009

SAN FRANCISCO
PUBLIC LIBRARY

May 06, 2008

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

Tuesday, May 6, 2008

2:00 PM

Legislative Chamber - Second Floor

Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present:	*Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*
Members Excused:	*None.*
Members Absent:	*None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:04 p.m. On the call of the roll Supervisors Alioto-Pier, Maxwell, McGoldrick and Mirkarimi were noted absent.
There was a quorum present.
Supervisors Alioto-Pier, Maxwell, McGoldrick and Mirkarimi were noted present at 2:06 p.m.

COMMUNICATIONS

Angela Calvillo, Clerk of the Board informed the Board that she was in receipt of a communication from the Mayor indicating that he was vetoing legislation contained in File No. 071596, which would make additional public meetings held in City Hall hearing *rooms accessible to the general public on the internet. This matter will be agendized at the May 13, 2008 Board meeting for Board action.*

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

080467 [Lease of Real Property at 68 12th Street, Suite 200B]

Resolution authorizing the Director of Property to exercise a three-year extension option for a lease of real property located at 68 12th Street, Suite 200B, for the Department of Public Health, Emergency Medical Services, effective retroactively to July 1, 2007. (Real Estate Department)

Enacted Number: 219-08

ADOPTED

080468 [Lease of Real Property at 1360 Mission Street, Suite 401]

Resolution authorizing the Director of Property to exercise an extension option for a three-year term for the lease of real property located at 1360 Mission Street, Suite 401, for the Department of Public Health retroactively to January 1, 2008. (Real Estate Department)

Enacted Number: 220-08

ADOPTED

Recommendation of the Land Use and Economic Development Committee

071674	**[Zoning - Amending Superseded Height and Bulk Provisions in the North Beach NCD]**	**Supervisor Peskin**

Ordinance amending the San Francisco Planning Code by amending Section 722.1 and the Zoning Control Table in Section 722 to delete building height and bulk provisions superseded by Ordinance No. 20-88 and adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Enacted Number: 87-08

FINALLY PASSED

Recommendations of the Rules Committee

080334 **[Settlement of Lawsuit - CCSF v. Pacific Gas & Electric Company, et al. - $357,036.43]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Pacific Gas and Electric Co., et al. on June 20, 2005, in San Francisco Superior Court, Case No. CGC-05-442416, entitled, City and County of San Francisco, a municipal corporation v. Pacific Gas and Electric Co., a corporation, Stacy and Witbeck/Esquivel, a joint venture, Stacy and Witbeck, Inc., a corporation, Esquivel Grading and Paving, Inc., a corporation, Bauman Landscape, Inc., a corporation, and DOES 1 to 25, inclusive. (City Attorney)

Enacted Number: 82-08

FINALLY PASSED

080454 [Settlement of Lawsuit - John Weatherspoon III- $5,150,000.00]

Ordinance authorizing settlement of the lawsuit filed by John Weatherspoon III, by and through his Guardian Ad Litem, Barbara Weatherspoon against the City and County of San Francisco for $5,150,000.00; the lawsuit was filed on May 9, 2006 in San Francisco Superior Court, Case No. 452-083; entitled John Weatherspoon III, by and through his Guardian Ad Litem, Barbara Weatherspoon v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 83-08

FINALLY PASSED

080455 [Settlement of Lawsuit - Marnix Van Ammers and Jean Walker- $70,000.00]

Ordinance authorizing settlement of the lawsuit filed by Marnix Van Ammers and Jean Walker against the City and County of San Francisco for $70,000.00; the lawsuit was filed on April 9, 2007 in the San Francisco Superior Court, Case No. 462-146; entitled Van Ammers, et al., v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 84-08

FINALLY PASSED

080456 [Settlement of Lawsuit - Jane Martin- $75,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by Aristides Cisneros and Shirley Kollman against the City and County of San Francisco for $75,000; the lawsuit was filed on January 31, 2005 in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 85-08

FINALLY PASSED

080457 [Settlement of Lawsuit - Margarita Hill- $55,000]

Ordinance authorizing settlement of the lawsuit filed by Margarita Hill against the City and County of San Francisco for $55,000; the lawsuit was filed on December 12, 2006 in San Francisco Superior Court, Case No. 458664; entitled Margarita Hill v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 86-08

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

(Only one of the following two motions should be approved.)

080461 [Disapproving Conditional Use Application for property located

at 1575 South Van Ness Avenue]

Motion approving decision of the Planning Commission disapproving Conditional Use Application 2007.1456C on property located at 1575 South Van Ness Avenue.

Supervisor Ammiano, seconded by Supervisor Chu, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Sandoval
Noes: 1 - Peskin
Absent: 1 - McGoldrick

080462 [Approving Conditional Use Application for property located at 1575 South Van Ness Avenue]

Motion disapproving decision of the Planning Commission disapproving Conditional Use Application 2007.1456C on property located at 1575 South Van Ness Avenue.

Supervisor Ammiano, seconded by Supervisor Alioto-Pier, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Sandoval
Noes: 1 - Peskin
Absent: 1 - McGoldrick

Supervisor Ammiano, seconded by Supervisor Chu, moved that this Motion be APPROVED AS AMENDED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Sandoval
Noes: 1 - Peskin
Absent: 1 - McGoldrick

080463 [Findings - 1575 South Van Ness Avenue Conditional Use Application Appeal]

Motion directing the Clerk to prepare findings related to the proposed Conditional Use Application 2007.1456C on property located at 1575 South Van Ness Avenue.

Enacted Number: M08-78

Supervisor Ammiano, seconded by Supervisor Chu, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Sandoval
Noes: 1 - Peskin
Absent: 1 - McGoldrick

Recommendation of the City Operations and Neighborhood Services Committee

071294 [Climate change goals and **Supervisor**

action plan] **Mirkarimi**

Ordinance amending the San Francisco Environment Code by adding Chapter 9, Sections 900 through 908, to establish City greenhouse gas emissions targets and departmental action plans, to authorize the Department of the Environment to coordinate efforts to meet these targets, and to make environmental findings.

Enacted Number: 81-08

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

Recommendation of the Budget and Finance Committee

080544 [Approve SOMA Community Stabilization Fund Strategic Plan]

Resolution approving the SOMA Community Stabilization Fund 2008 Strategic Plan. (Mayor)

Enacted Number: 216-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use and Economic Development Committee

080232 [Planning Code - Deadline Extension for Medical Cannabis Dispensary Permitting] **Supervisor Daly**

Ordinance amending the San Francisco Planning Code by amending Sections 209.3, 217, 790.141, and 890.133 to extend the time period for certain Medical Cannabis Dispensaries to obtain a permit from March 1, 2008 to January 21, 2009; and making findings, including General Plan, Planning Code Section 101.1(b) and environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd

071669 [Planning - Haight Street Neighborhood Commercial District - Full-Service Restaurants] **Supervisor Mirkarimi**

Ordinance amending Planning Code Sections 719.1 and 781.9 concerning the Haight Street Neighborhood Commercial District to provide for up to four new full-service restaurant uses that satisfy specific requirements and obtain conditional use authorization, making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080223 [Street Encroachments on Ocean Avenue at Granada Avenue] **Supervisor Sandoval**

Resolution granting revocable permission to San Francisco Arts Commission to occupy a portion of the public right-of-way to install and maintain two mosaic sun spheres, one three feet, and one four feet in diameter near the northeasterly and southwesterly corners of Ocean Avenue and Granada Avenue, and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Public Works Department)

Enacted Number: 218-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

COMMITTEE REPORTS

080477 [Waiver of temporary street space occupancy fee on May 17, 2008 for Small Business Week Sidewalk Sale] **Supervisor Dufty**

Ordinance waiving the fee in Public Works Code Section 724.1(b) for temporary street space occupancy in certain sections of the City on Saturday, May 17, 2008 as part of Small Business Week.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If *simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.*

Walter; expressed concern with various issues
James Chaffee; expressed concern with issues relating to the SF Public Library
Peter Warfield; expressed concern with issues relating to the SF Public Library
Richard McGee; expressed concern with issues relating to US patent infringements
Frank; expressed concern with issues relating to the police
Robin Crop; expressed concern with issues relating to lime disease
Cathy Dill; expressed concern with issues relating to lime disease

CLOSED SESSION

Supervisor McGoldrick, seconded by Supervisor Elsbernd, moved to convene in Closed Session. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080595 **[Closed Session - Telephone Users Tax and the 911 Wireless Fee]**

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following matters:

(a) a ruling filed on April 29, 2008 by the California Court of Appeal in Bay Area Cellular Telephone Company et al., v. City of Union City, (Case No. A114956) that may result in litigation involving the City related to the Emergency Response Fee in San Francisco - Business and Tax Regulations Code Section 750, et seq.; and

(b) pending litigation in the Los Angeles, CA Superior Court: Tracfone Wireless Inc. v. City of Los Angeles, (Case No. BC 363735) and Tracfone Wireless Inc. v. County of Los Angeles, (Case No. BC 357628) that may result in litigation involving the City related to the Telephone Users Tax in San Francisco - Business and Tax Regulations Code Section 701, et seq.

Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(2) permit this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the potential litigation. (City Attorney)

The Board recessed at the hour of 3:05 p.m. to convene in closed session pursuant to the above motion.

Calling the Roll

The following Supervisors were noted present:

Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Persons in attendance:

Cheryl Adams, Deputy City Attorney
Julie Van Nostern, Deputy City Attorney
Tom Long, Deputy City Attorney
Phil Ginsburg, Mayor's Chief of Staff
Ben Rosenfield, Controller
Angela Calvillo, Clerk of the Board
Victor Young, Assistant Clerk

Reconvening of the Board

The Board at the hour of 3:55 p.m. reconvened.

Matter was heard in Closed Session and Filed.

HEARD IN CLOSED SESSION by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

[Elect Not to Disclose] Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the existing litigation listed above.

Supervisor Ammiano, seconded by Supervisor Elsbernd, moved not to disclose its Closed

Session Deliberations. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

080597	**[Supporting Assembly Bill 3034, the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century]**	**Supervisors Peskin, Dufty, Mirkarimi, Elsbernd, Daly, Ammiano, Maxwell, McGoldrick, Sandoval, Chu, Alioto-Pier**

Resolution supporting Assembly Bill 3034, the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century.

Supervisor Alioto-Pier requested to be added as a co-sponsor.

Enacted Number: 215-08

ADOPTED

080551 **[Final Map - 301-315 Mission Street and 101-129 Fremont Street]**

Motion approving Final Map 4146, a 420 Residential Unit and 8 Commercial Unit Mixed-Use Condominium Project, located at 301 - 315 Mission Street and 101 - 129 Fremont Street being a subdivision of Lots 001 and 017 in Assessor's Block No. 3719 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)
(DPW Order 177,503; District 6.)

Enacted Number: M08-79

APPROVED

080552 **[Final Map - 2405-2407 Folsom Street]**

Motion approving Final Map 4751, a 6 Unit Residential and 4 Unit Commercial Mixed-Use Condominium Project, located at 2405 - 2407 Folsom Street being a subdivision of Lot 042 in Assessor's Block No. 3612 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)
(DPW Order 177,505; District 9.)

Enacted Number: M08-80

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from adoption without committee reference

080598 [Urging the California State Assembly to support the passage of Assembly Bill 2153] **Supervisor Ammiano**

Resolution urging the California State Assembly to support the passage of Assembly Bill 2153 and directing the City's lobbyist to work towards this end.

Supervisor Chu requested that this matter be severed so that it might be considered separately. Continued to May 13, 2008.

Supervisor Chu, seconded by Supervisor Mirkarimi, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080599 [Gift to City of travel from San Francisco Chamber of Commerce for 2008 CityTrip] **Supervisor Peskin**

Resolution accepting a gift of airfare, accommodations, and conference fees valued in an amount of $6,500 from the San Francisco Chamber of Commerce for two City officials or employees to join the Chamber of Commerce on its 2008 CityTrip to Los Angeles.

Supervisor Daly requested that this matter be severed so that it might be considered separately.

REFERRED to the Government Audit and Oversight Committee.

080600 [Declaring the City's intention to appropriate available Rainy Day Reserve funds to the San Francisco Unified School District]

Mayor, Supervisors Ammiano, Dufty

Resolution declaring the City's intention to appropriate available Rainy Day Reserve funds to the San Francisco Unified School District, to help the District cope with the loss of State funding for the 2008-2009 school year.

Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.

Enacted Number: 217-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

080603 [Annual Appropriation Ordinance for Selected Departments, as of May 1, 2008, Fiscal Year ending June 30, 2009 and for the Municipal Transportation Agency, Fiscal Year ending June 30, 2010]

Ordinance appropriating all estimated receipts and all estimated expenditures for Selected Departments of the City and County of San Francisco as of May 1, 2008 for the Fiscal Year ending June 30, 2009 and for the Municipal Transportation Agency for the Fiscal Year ending June 30, 2010. (Mayor)
(Fiscal Impact.)

5/1/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080604 [Proposed Annual Salary Ordinance for Selected Departments, Fiscal Year ending June 30, 2009 and for the Municipal Transportation Agency, Fiscal Year ending June

30, 2010]

Proposed Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for Selected Departments of the City and County of San Francisco for the Fiscal Year ending June 30, 2009 and for the Municipal Transportation Agency for the Fiscal Year ending June 30, 2010.
(Mayor)
(Fiscal Impact.)
5/1/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080605 [Motor Vehicles for Hire; Permit Application and License Renewal Fees]

Ordinance amending the San Francisco Police Code by amending Sections 2.26.1 and 2.27.1 to increase certain motor vehicle for hire permit application and license renewal fees. (Mayor)
5/1/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 05/08/08 - Fee ad placed in th eSF Chronicle to be published on 5/10/08 and 5/17/08.05/17/09 - Response received from Planning, exempt from CEQA.

080606 [Revising Board of Appeals Surcharges]

Ordinance amending Section 10G.1 of the San Francisco Administrative Code to adjust the surcharges on permit fees, license fees, permit review fees and permit and license renewal fees imposed by the Department of Building Inspection, the Planning Commission, the Taxi Commission, the Police Department, the Department of Public Works, the Entertainment Commission, and the Department of Public Health for permits and licenses that may be appealed to the Board of Appeals, and making environmental findings. (Mayor)

5/1/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 05/08/08 - Fee ad placed in the SF Chronicle to be published on 5/10/08 and 5/17/08. 05/17/09 - Response received from Planning, exempt from CEQA.

080613 [Local Business Enterprise and Non-Discrimination in Contracting Ordinance shall terminate 120 days after the injunction in Coral v. Construction, Inc. (S.F. Sup. Ct. No. 421249) is lifted or stayed] **Mayor, Supervisor Alioto-Pier**

Ordinance amending the Administrative Code 14B.18 to suspend enforcement of 14.B and reinstate Chapter 12D.A. 120 days after the injunction in Coral Construction, Inc. v. City and County of San Francisco (S.F. Sup. Ct. No. 421249) is lifted or stayed.

5/6/08, RECEIVED AND ASSIGNED to Rules Committee.

080614 [Extending the Expiration date **Mayor,**

of the MBE/WBE/LBE Ordinance] **Supervisor Alioto-Pier**

Ordinance extending the expiration date of Chapter 12D.A, the City's Minority/Women/Local Business Utilization program until one year after the injunction in Coral Construction, Inc. v. City and County of San Francisco (S.F. Sup. Ct. No. 421249) is lifted or stayed.

5/6/08, RECEIVED AND ASSIGNED to Rules Committee.

080616 [Appointment of Independent Hearing Officer for Local Enforcement Agency] **Supervisor Dufty**

Ordinance amending the San Francisco Health Code by adding Sections 315, 318, 321, 323, 324, 327, 330, 333, 335, 337, 339, and 341 to authorize the appointment of an Independent Hearing Officer from the San Francisco Rent Board to conduct Local Enforcement Agency Hearings brought pursuant to the State Public Resources Code; establish procedures and qualifications for the appointment, and establish hearing procedures, cost recovery, and bases for hearing officer disqualification.

5/6/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/5/2008.

080621 [Amending Health Code Article 8 - Food Preparation and Service Establishment] **Mayor**

Ordinance amending San Francisco Health Code Sections 451, 452, 456.4, 456.5, deleting Health Code Section 455, and amending San Francisco Business and Tax Regulations Code Section 249.1 to include definition for licensed health care facilities, clarify the definition for hospital kitchen, update definitions to be consistent with the California Retail Food Code; add a fee for licensed health care facilities; and add lien procedures for enforcing monetary penalties.

5/6/08, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 6/5/2008.

Resolutions

080607 [Proposition J Contract/Certification of Specified Contracted-Out Services Previously Approved for Enterprise Departments]

Resolution concurring with the Controller's certification that services previously approved can be performed by private contractor for a lower cost than similar work performed by City and County employees, for the following services: employee and public parking management services, information booth services, security services, and shuttle bus services (Airport); paratransit services, security services, citation information, janitorial and landscaping, meter collection and coin counting,

towing services, and transit shelter maintenance and advertising (MTA); janitorial and security services. (Port) (Mayor)
(Fiscal Impact.)
5/1/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080615 [Accept and expend Environmental Protection Agency (EPA) grant funds - $8,119,150] **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Public Utilities Commission (SFPUC) to accept and expend a United States Environmental Protection Agency (US EPA) grant in the amount of $8,119,150 for a Contamination Warning System Demonstration Pilot Project.
5/6/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080617 [Accept-expend federal grant funds, Fire Department - $1,173,212] **Supervisor Elsbernd**

Resolution authorizing the San Francisco Fire Department to retroactively accept and expend a grant in the amount of $1,173,212 from the Federal Emergency Management Agency (FEMA) to develop and implement a Wellness and Fitness Program.
(Fiscal Impact.)
5/6/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080622 **[Multifamily Housing Revenue Bonds - 149 Mason Street Apartments - not to exceed $15,275,000]** **Mayor**

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds (as defined herein) in an aggregate principal amount not to exceed $15,275,000 for the purpose of providing financing for a multifamily rental housing project to be known as 149 Mason Street Apartments; approving the form of and authorizing the execution of a trust indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary to implement this resolution; and related matters.

5/6/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080623 **[Grant funds to support the Aboveground Petroleum Storage Act program - $63,567.48]** **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco

Department of Public Health's Environmental Health Section (DPH-EHS) to enter into an agreement with the California Environmental Protection Agency (Cal/EPA) and to designate a representative to sign the agreement and any amendments thereto for implementation of the Aboveground Petroleum Storage Act (APSA) and to accept and expend retroactively a new grant in the amount of $63,567.48 from CEPA to support the "Aboveground Petroleum Storage Act Program" for the period of January 1, 2008 through March 1, 2010.

5/6/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080624 [Proclaiming June, July and August of 2008 as "Soda Free Summer"] **Supervisor Dufty**

Resolution proclaiming June, July and August of 2008 as "Soda Free Summer" in the City and County of San Francisco, and urging all San Franciscans to join Shape Up SF to "Rethink Your Drink" and go Soda Free this summer.

5/6/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080625 [Commending Mimi Silbert and declaring May 15, 2008 to be Mimi Silbert Day] **Supervisor Sandoval**

Resolution commending Mimi Silbert for more than 36 years of leadership as the President and CEO of Delancey Street and her steadfast commitment to the rehabilitation and reintegration of more than 14,000 people nationwide, and declaring May 15, 2008 to be Mimi Silbert Day, on the occasion of her recognition by the Women Defenders at their 2008 Spring Event.

5/6/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080626 [Public Works Week - May 18 - 24, 2008] **Supervisor McGoldrick**

Resolution declaring May 18 through May 24, 2008 as Public Works Week.

5/6/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080627 [Commending AcroSports] **Supervisor McGoldrick**

Resolution commending AcroSports on their 15 years of service to the community.

5/6/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Hearings

080602 [Mayor's Proposed May Budget 2008-2009]

Hearing to review the Mayor's Proposed May Budget 2008-2009. (Mayor)

5/1/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080608 [Outside Lands Festival in Golden Gate Park] **Supervisor Chu**

Hearing to examine plans from the San Francisco Police Department, Recreation and Park Department, Department of Parking and Traffic, and Department of Public Works in preparation for the Outside Lands Music & Arts Festival in Golden Gate Park (August 22-24, 2008).

5/6/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080609 [City Tree Safety] **Supervisor Chu**

Hearing to examine whether trees in Stern Grove and other areas of the City are properly maintained and meet appropriate safety standards. Also to examine expenditure plan for Parks Bond funds dedicated to tree restoration.

5/6/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080610 [Arts Task Force Recommendations] **Supervisor Ammiano**

Hearing on the implementation on the 2006 Arts Task Force recommendations for all affected

departments to report their progress on implementation.
5/6/08, RECEIVED AND ASSIGNED to Rules Committee.

080612 [Police district boundaries] **Supervisor Mirkarimi**

Joint hearing of the Public Safety Committee of the Board of Supervisors and the Police Commission to discuss the Public Safety Strategies Group findings and recommendations of the district boundaries analysis completed pursuant to Board Ordinance number 243-06.
5/6/08, RECEIVED AND ASSIGNED to Public Safety Committee.

Charter Amendments

080618 [Board of Supervisors Aides] **Supervisor McGoldrick**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Section 2.117, to authorize a third aide for members of the Board of Supervisors.
5/6/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/5/2008. 5/9/08, Referred to departments for review and comments (see file for dept. list).

080619 [Providing for appointment **Supervisor**

rather than election of the City Treasurer] **McGoldrick**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding Section 3.106, amending Sections 6.100, 13.101, 13.101.5, 13.102, and 14.103, and repealing Section 6.106, to provide for appointment rather than election of the City Treasurer, and set qualifications for the office of Treasurer.

5/6/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/5/2008. 5/9/08, Referred to departments for review and comments (see file for dept. list).

080620 **[Creating a Public Works Commission, setting its powers and duties; authorizing the Mayor to appoint the Director of Public Works]** **Supervisor McGoldrick**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding a new Section 4.121.5 and amending Sections 3.104, 4.130 and D3.750-4, to create a Public Works Commission and establish its powers and duties, and authorize the Mayor to appoint the Director of Public Works.

5/6/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/5/2008. 5/9/08, Referred to departments for review and comments (see file for dept. list).

PROPOSED RESOLUTIONS

080581 [Approval of Sixth Amendment to Agreement with Serco Inc. for parking meter collection and management services, to extend the term by two years and increase the contract amount by $10,000,000]

Resolution approving the Fifth Amendment to the Agreement between Serco Management Systems, Inc. and the City and County of San Francisco, through the San Francisco Municipal Transportation Agency. (Municipal Transportation Agency)

(Fiscal Impact.)

4/28/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080582 [Approval of Agreement between the City and County of San Francisco and Serco, Inc. for Administrative Services in Support of the SFpark Project, for a contract term of two years and an amount not-to-exceed $22,080,000]

Resolution approving the Agreement between the City and County of San Francisco and Serco, Inc. for Administrative Services in Support of the SFpark Project. (Municipal Transportation Agency)

(Fiscal Impact.)

5/6/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080583 [Official Advertising for FY 2008-2009]

Resolution designating the Examiner the official newspaper of the City and County of San Francisco for all official advertising for Fiscal Year 08-09. (Office of Contract Administration)

4/28/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080584 [Outreach Advertising for FY 2008-2009]

Resolution designating San Francisco Bay View to be the outreach newspaper of the City and County for the African American community, and Asian Week to be the outreach newspaper of the City and County for the Chinese community, to provide outreach advertising services for Fiscal Year 08-09. (Office of Contract Administration)

4/28/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080585 [Approval of the Mental Health Services Act Workforce Development Education and Training Three Year Program and Expenditure Plan]

Resolution approving the Mental Health Services Act Workforce Development Education and Training Three Year Program and Expenditure Plan (WET Plan) and authorizing the amendment of the MHSA Agreement to include this Plan in the agreement. (Public Health Department)
4/28/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Sandoval
To: Director, Department of Parking and Traffic
Requesting/Inquiring: Requesting that the Department of Parking and Traffic respond to the feasibility of zebra striping the pedestrian crosswalks at the intersection of Persia Avenue and Vienna Street.
From: Supervisor Elsbernd
To: Director, Department of Parking and Traffic
Requesting/Inquiring: Please investigate the possibility of relocating the traffic signal box located at the corner of Laguna Honda and Portola due to pedestrian safety concerns.
From: Supervisor Elsbernd
To: Director, Municipal Transportation Agency
Requesting/Inquiring: Please explore the possibility of installing speed humps on the one block of Wawona, between Ulloa and Taraval Streets.
From: Supervisor Ammiano
To: Chief, Police Department
To: Director, Mayor's Office of Criminal Justice
Requesting/Inquiring: Currently, the Police

Department's GIS crime map only tracks crimes which occurred in the last 90 days, and while most classifications of crimes such as robberies and assaults are searchable, homicides are not. What is the reason for these limitations? When can we expect the GIS map to reflect the past year's crimes, rather than the last 3 months, and when will the map accurately show where homicides have occurred?

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of repairing potholes at the following locations:
Geary and Post, pothole on southwest side of street
South side at Divisadero and Golden Gate

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from the following locations:
Phone Switch Boxes:
Northeast corner of Oak and Webster
Northeast corner of Scott and Waller
Southeast corner of Fell and Fillmore
Southeast corner of Fillmore and Post
Southeast corner of Scott and HaightFell and Divisadero
Southwest corner of Buchanan and Hayes
Buchanan and Haight Streets
546 Haight Street
Northwest corner of Ashbury and Waller
Mailboxes:

Post and Geary
Hayes and Laguna
Southwest corner of Fell and Buchanan
Northeast corner of McAllister and Scott
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti at the following private property locations:
503 Scott
360 Haight
472 Haight
539 Octavia
401 Fillmore
557 Fillmore
1015 Fillmore
1000 Steiner
333 Haight
406-408 Buchanan
536 Fell
401 Haight
546 Haight
799 Haight
498 Haight
425-431 Buchanan
485 Haight
385 Grove
432 Grove
200 Octavia
626 Fell
Geary and Steiner (the wall on the southwest corner of the walking bride)

451 Hayes
525 Gough
355 Laguna
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from utility poles at the following locations:
Wood:
In front of 424 Oak
Northwest corner of Oak and Buchanan
432 Buchanan
Northwest corner of Page and Webster
Metal:
Southwest corner of McAllister and Webster
Northwest corner of Fell and Fillmore
406 Buchanan
Southwest corner of Buchanan and Lausant
1468 Waller
Southeast corner of Fell and Buchanan
Bus Shelters:
Southeast corner of Fillmore and Post
Northeast corner of Fillmore and Hayes
Stanyan and Oak
Northwest and Southeast corner of Haight and Fillmore
Southwest corner of Haight and Buchanan
Crosswalks and Stop Signs:
Fillmore and Waller (crosswalk and stop signs)
Fillmore and Haight (southeast and southwest corner stop signs)
From: Supervisor Mirkarimi
To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from newstands at the following locations:
San Francisco Bay Guardian:
Southeast corner of Fillmore and Post
Southeast corner of Laguna and Page
9th Avenue and Judah (near bus stops)
7th Avenue and Irving (near bus stops)
Northwest corner of Fillmore and Geary
Southeast corner of Fillmore and Haight
In front of 497 Oak Street
San Francisco Chronicle:
Southeast corner of Fillmore and Post
Southeast corner of Oak and Buchanan
Southeast corner of Laguna and Page
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Irving and 9th Avenue
Irving and 7th Avenue
Examiner:
Southeast corner of Fillmore and Post
Northwest corner of Hayes and Gough
Southeast corner of Haight and Fillmore
SF Daily:
Northwest corner of Hayes and Gough
City Star:
Northwest corner of Hayes and Gough
Onion:
Northeast corner of Fillmore and Waller
Northwest corner of Hayes and Gough
Southeast corner of Divisadero and Page
Southeast corner of Fillmore and Haight

SF Weekly:
Southwest corner of Hayes and Webster
Southeast corner of Masonic and Haight
Southeast corner of Haight and Fillmore

In Memoriams

George C. Fleharty - Supervisor Peskin
Charles "Chad" Lowell Elliott - Supervisor Dufty
Robert Lawrence "Bob" Reising - Supervisor Dufty
Dick Dineen - Supervisor Dufty

ADJOURNMENT

There being no further business the Board adjourned at the hour of 3:56 p.m.
Angela Calvillo, Clerk of the Board
N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.
Approved by the Board of Supervisors on June 10, 2008.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee. Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site /bdsupvrs_index.asp?id=4383For information, call (415) 554-5184. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7719

Disability access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

May 13, 2008

GOVERNMENT
DOCUMENTS DEPT

JAN - 9 2009

SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

Tuesday, May 13, 2008
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting
Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:03 p.m. On the call of the roll all Supervisors were noted present. There was a quorum present.

APPROVAL OF MEETING MINUTES

Supervisor Elsbernd, seconded by Supervisor Maxwell, moved to approve the April 8, 2008 and April 15, 2008 Board Meeting Minutes.. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin,

Sandoval

CONSENT AGENDA

Recommendations of the City Operations and Neighborhood Services Committee

080477 [Waiver of temporary street space occupancy fee on May 17, 2008 for Small Business Week Sidewalk Sale] **Supervisor Dufty**

Ordinance waiving the fee in Public Works Code Section 724.1(b) for temporary street space occupancy in certain sections of the City on Saturday, May 17, 2008 as part of Small Business Week.

Enacted Number: 89-08

FINALLY PASSED

080560 [Grant to support the International Mobility of HIV study - $119,181] **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of $119,181 from the University of California, San Francisco (UCSF), to support a study entitled "International Mobility of HIV," for the period of

September 30, 2007 through August 31, 2008.

Enacted Number: 222-08

ADOPTED

080561 [Funds to support HIV vaccine research - $139,432] **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of $139,432 from the Public Health Foundation Enterprises (PHFE); for the period of January 1, 2008 through December 31, 2008.

Enacted Number: 223-08

ADOPTED

080562 [Grant to support the Safe Routes to School Project - $500,000] **Supervisors Elsbernd, Chu**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend funds from the California Department of Transportation (CalTrans) in the amount of $500,000 to support the Safe Routes to School Project, including one educational services consultant contract in the total amount of $135,541 for the period of September 1, 2008 through August 31, 2010; and to delegate authorization to execute these agreements and any amendments thereto to the Director of Public Health.

Enacted Number: 224-08

ADOPTED

Recommendation of the Land Use and Economic Development Committee

071669 [Planning - Haight Street Neighborhood Commercial District - Full-Service Restaurants]

Supervisor Mirkarimi

Ordinance amending Planning Code Sections 719.1 and 781.9 concerning the Haight Street Neighborhood Commercial District to provide for up to four new full-service restaurant uses that satisfy specific requirements and obtain conditional use authorization, making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Enacted Number: 88-08

FINALLY PASSED

Recommendations of the Rules Committee

080509 [Settlement of Lawsuit - Debra Denise Reed - $65,000]

Ordinance authorizing settlement of the lawsuit filed by Debra Denise Reed against the City and County of San Francisco for $65,000; the lawsuit was filed on November 22, 2006 in San Francisco Superior Court, Case No. 458-146; entitled Debra Denise Reed, et al., v. City and County of San Francisco, et al (City Attorney)

PASSED, ON FIRST READING

080510 [Settlement of Lawsuit - Jail No. 3 Replacement Project Cases, San Mateo County, JCCP Case No: 4422]

Ordinance authorizing settlement of the coordinated lawsuits, entitled Jail No. 3 Replacement Project Cases, San Mateo County, JCCP Case No: 4422, filed by AMEC Construction Management, Inc. ("ACMI") against the City and County of San Francisco, and filed by the City and County of San Francisco and the People of the State of California ("San Francisco") against ACMI, its parent and sister companies, its Surety companies, and its bond broker. (City Attorney)

PASSED, ON FIRST READING

080546 [Appointment - Western SOMA Citizens Planning Task Force - John Thomas Braun and Robert Knigge]

Motion appointing John Thomas Braun and Robert

Knigge, terms ending June 30, 2010, to the Western SOMA Citizens Planning Task Force.
John Thomas Braun, new appointment, seat 4, must be a youth residing in Western SOMA, for term ending June 30, 2010. Robert Knigge, succeeding Matthew Furey, seat 5, term expired, must be raising a family in Western SOMA, for term ending June 30, 2010.

Enacted Number: M08-84

APPROVED

080554 [Appointment - Sunshine Ordinance Task Force - Erica Craven, Richerd Knee, Sue Cauthen, Ketaki Gokhale, Allyson Washburn, Kristin Chu, Hanley Chan and Nicholas Goldman]

Motion appointing Ketaki Gokhale, term ending April 27, 2009, Erica Craven, Richard Knee, Sue Cauthen, Allyson Washburn, Kristin Chu, Hanley Chan and Nicholas Goldman, terms ending April 27, 2010, to the Sunshine Ordinance Task Force, residency requirement waived.
Erica Craven, succeeding herself, term expired, seat 1, must be appointed from names submitted by the local chapter of the Society of Professional Journalists and be an Attorney, for a two-year terrm ending April 27, 2010. Richard Knee, succeeding himself, term expired, seat 2, must be appointed from names submitted by the local chapter of the

Society of Professional Journalists and be a Journalist, for a two-year term ending April 27, 2010. Sue Cauthen, succeeding herself, term expired, seat 3, must be a member of the press or electronic media with an interest in citizen access, for a two-year term ending April 27, 2010. Ketaki Gokhale, succeeding Pueng Vongs, resigned, seat 4, must be appointed from names submitted by New California Media and be a journalist from a racial/ethnic-minority-owned news organization. Task Force reorganized under Proposition G and seat number changed from 15 to 4, for an unexpired portion of a two-year term ending April 27, 2009. Allyson Washburn, succeeding Kristin R. M. Chu, term expired, seat 5, must be appointed from names submitted by the League of Women Voters, for a two-year term ending April 27, 2010. Kristin Chu, succeeding Bruce Wolfe, term expired, seat 8, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for a two-year term ending April 27, 2010. Hanley Chan, succeeding himself, term expired, seat 9, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for a two-year term ending April 27, 2010 (residency requirement waived). Nicholas Goldman, succeeding himself, term expired, seat 10, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for a two-year term ending April 27, 2010.

Enacted Number: M08-82

APPROVED

080555 [Appointment - Peak Oil Preparedness Task Force - Cal Simone]

Motion appointing Cal Simone, term ending October 5, 2008, to the Peak Oil Preparedness Task Force, residency requirement waived.

Cal Simone, succeeding Franz Cheng, resigned, seat 6, must represent the public at large, for the unexpired portion of a one-year term ending October 5, 2008 (residency requirement waived).

Enacted Number: M08-83

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Vetoed by the Mayor

071596 [Audio or video recording of public meetings held in City Hall hearing rooms] **Supervisors Mirkarimi, Ammiano, Daly**

Ordinance amending Section 67.14 of the Administrative Code to require that any public meeting held in a City Hall hearing room that is equipped with audio or video recording facilities be audio or video recorded and to further require that such audio or video recording be made available for review on the City's web site.

Motion to override the Mayor's Veto passed by the following vote:
Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Chu, Elsbernd

Enacted Number: 80-08

FINALLY PASSED.

Recommendation of the Land Use and Economic Development Committee

080232 [Planning Code - Deadline Extension for Medical Cannabis Dispensary Permitting] **Supervisor Daly**

Ordinance amending the San Francisco Planning Code by amending Sections 209.3, 217, 790.141, and 890.133 to extend the time period for certain Medical Cannabis Dispensaries to obtain a permit from March 1, 2008 to January 21, 2009; and making findings, including General Plan, Planning Code Section 101.1(b) and environmental findings.

Enacted Number: 90-08

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd

NEW BUSINESS

Recommendations of the Budget and Finance Committee

080464 [Implementing a Deferred Retirement Option Program for certain members of the Police Department]

Ordinance adding Sections 16.63 through 16.63-10 to the Administrative Code to implement the Deferred Retirement Option Program approved by the San Francisco voters. (Retirement System) (Supervisor Daly dissented in Committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

080565 [Accept-Expend Federal Grant and Amend Annual Salary Ordinance, FY 2007-2008 - $307,375] **Supervisor Mirkarimi**

Ordinance authorizing the Department of Economic and Workforce Development to retroactively accept and expend a grant in the amount of $307,375 from the California Employment Development Department for workforce development activities, and amending the Annual Salary Ordinance to provide for the creation of certain grant-funded positions.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080519 [Accept-Expend Sidney E. Frank Foundation Grant and Amendment to the Annual Salary Ordinance, FY 2007-2008 - $200,000] **Supervisor Alioto-Pier**

Ordinance authorizing the Department of the Environment to accept and expend a grant in the amount of $200,000 from the Sidney E. Frank Foundation to carry out the critical task of engaging key stakeholders and interest groups to solicit input for a wave energy project and amending Ordinance Number 175-07 to reflect the addition of one (1) grant-funded position at the Department of the Environment.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Government Audit and Oversight Committee

080404 [Appropriating $593,490,962 of proceeds from the sale of bonds for capital improvement projects at the San Francisco International Airport for Fiscal Year 2007-2008] **Mayor, Supervisor Chu**

Ordinance appropriating $593,490,962 of proceeds from the sale of bonds for capital improvement projects at the San Francisco International Airport for Fiscal Year 2007-2008. Place total appropriation of $593,490,962 on Controller's Reserve pending sale of the bonds.
(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin,

Sandoval

080590 [Airport Capital Plan Bonds - not to exceed $718,000,000] **Supervisor Chu**

Resolution approving the issuance of not to exceed $718,000,000 aggregate principal amount of San Francisco International Airport Second Series Revenue Bonds for the purpose of financing and refinancing the construction, acquisition, equipping and development of capital projects undertaken by the Airport constituting part of the Airport's capital plan.
(Fiscal Impact.)

Enacted Number: 229-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080569 [Memorandum of Agreement between the Treasure Island Development Authority and the San Francisco County Transportation Authority relating to Yerba Buena Island Ramps - not to exceed $3,000,000] **Mayor**

Resolution authorizing a Memorandum of Agreement between the Treasure Island Development Authority and the San Francisco County Transportation Authority for project management services and consultant services for the preparation of a Project Report and Environmental Document for the Yerba Buena Island Ramps in an amount not to exceed $3,000,000.

Enacted Number: 228-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080325 [Contract between the Department of Health and the California Department of Health Care Services for the Health Care Coverage Initiative in the amount of $73.1 million over a three-year period in support of the Healthy San Francisco program] **Mayor**

Resolution authorizing the Director of Health to enter into a contract with the California Department of Health Care Services to provide reimbursement for health services costs incurred in providing services to specified Healthy San Francisco participants under the Health Care Coverage Initiative in the amount of $73.1 million.

Enacted Number: 225-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080592 **[Appropriating $273,015,000 of COP Revenue for the San Francisco Public Utilities Commission Electrical Reliability Power Project for Fiscal Year 2007-2008]** **Supervisors Maxwell, Peskin**

Ordinance appropriating $273,015,000 of San Francisco Certificates of Participation 2008 Series B and 2008 Series C to fund the San Francisco Electrical Reliability Project also referred to as the Combustion Turbine projects in the Public Utilities Commission for FY 2007-2008.

(Fiscal Impact.) (Supervisor Alioto-Pier dissented in committee.)

Continued to May 20, 2008

Supervisor Maxwell, seconded by Supervisor Alioto-Pier, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 1 - Daly

080523 **[Approving agreements for the development of the City Combustion Turbine Projects at San Francisco International** **Supervisors Maxwell, Dufty, McGoldrick, Peskin**

Airport and at 25th and Maryland Streets]

Ordinance approving agreements necessary for the development of the City Combustion Turbine Projects to be located at North Access Road and Clearwater Drive, San Francisco International Airport, and at Property Adjacent to the MTA Metro East Facility at 25th and Maryland Streets in San Francisco including a turbine upgrade agreement and electric and gas interconnection agreements and granting specified exceptions to the Administrative Code.

(Fiscal Impact.) (Supervisor Alioto-Pier dissented in committee.)

Continued to May 20, 2008

Supervisor Maxwell, seconded by Supervisor Alioto-Pier, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

080577	**[Approving agreements for the development of the City Combustion Turbine Projects at San Francisco International Airport and at 25th and Maryland Streets and adopting environmental findings]**	**Supervisors Maxwell, Dufty, McGoldrick, Peskin**

Resolution approving agreements necessary for the development of the City Combustion Turbine Projects to be located at North Access Road and Clearwater Drive, San Francisco International Airport, and at Property Adjacent to the MTA Metro East Facility at 25th and Maryland Streets in San Francisco, including a design-build agreement and a power purchase agreement; and approving property agreements, including a jurisdictional transfer of property to accommodate the proposed projects, subject to further agreements among the affected City departments; and making environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Continued to May 20, 2008

Supervisor Maxwell, seconded by Supervisor Alioto-Pier, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

080524	**[Authorizing the execution and delivery of certificates of participation to finance the San Francisco Combustion Turbine Projects and approving property leases, project leases and a trust agreement in**	**Supervisors Maxwell, Dufty, McGoldrick, Peskin**

connection therewith]

Resolution authorizing the execution and delivery of certificates of participation to finance the acquisition, construction, installation and equipping of natural gas-fired combustion turbine generation facilities on City-owned property located at 25th and Maryland Street in the Potrero neighborhood and at the San Francisco International Airport at the corner of North Access Road and Clearwater Drive; approving the form of a trust agreement between the City and County of San Francisco and a trustee (including certain indemnities contained therein); authorizing the selection of a trustee; approving the forms of property leases between the City and the trustee relating to the Potrero site and to the San Francisco International Airport site; approving the forms of project leases between the trustee and the City (including certain indemnities contained therein) relating to each of the two Projects; approving the form of a Memorandum of Understanding between the San Francisco Public Utilities Commission and the City; approving the form of an official notice of sale and notice of intention to sell for the certificates of participation; approving the form of an official statement in preliminary and final form; approving the form of a continuing disclosure certificate; and ratifying previous actions taken in connection therewith. (Supervisor Alioto-Pier dissented in committee.)

Continued to May 20, 2008

Supervisor Maxwell, seconded by Supervisor

Alioto-Pier, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

080447 [Adopting the State of California's Energy Priorities] **Supervisor Alioto-Pier**

Resolution adopting the State of California's Energy Priorities as stated in the Energy Action Plan of 2003 and Energy Action Plan II of 2005 which are, in the following order, energy efficiency and demand response, renewable energy and lastly, clean fossil generation.
(5/5/08 - Amendment of the Whole.)

Enacted Number: 227-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

COMMITTEE REPORTS

080601 [Waiver of temporary street space occupancy fee on May 17, 2008 for Small Business Week Sidewalk Sale] **Supervisors Elsbernd, Chu**

Ordinance waiving the fee in Public Works Code Section 724.1(b) for temporary street space occupancy in certain sections of the City on Saturday, May 17, 2008 as part of Small Business Week.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080515 [Lease of Real Property at 1 Dr. Carlton B. Goodlett Place, North Light Court]

Resolution authorizing the lease of 2,400 square feet of space to Juma Ventures, Inc., a California non-profit corporation, in City Hall located at 1 Dr. Carlton B. Goodlett Place. (Real Estate Department)

Enacted Number: 221-08

ADOPTED by the following vote:

Ayes: 7 - Ammiano, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Chu, Elsbernd
Absent: 1 - Daly

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

James Chaffee; expressed concern with issues relating to the SF Public Library
Richard Macree; expressed concern with issues relating to a patent for his design for the Sigmund Stern Grove
Walter; shared with the Board City memorabilia
Eugene Gordon, Jr.: expressed concern with issues relating to the violation of human rights
Peter Warfiled; expressed concern with issues relating to the SF Public Library
and fees

Michelle Miller; expressed concern with Congresswoman Pelosi and a cease fire to war

Candace Griffin; expressed concern with Congresswoman Pelosi and a cease fire to war

John Jenkel; expressed concern with Congresswoman Pelosi and a cease fire to war

John Di Donna; expressed concern with issues relating to the violation of human rights and decency

Neal Malleck; shared interest in issues relating to anniversary dates which have taken place in San Francisco

Colleen Renault; expressed concern with Congresswoman Pelosi and a cease fire to war

John Paul Carless; expressed concern with issues relating to victims of war,both the soldiers and families

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

080622 [Multifamily Housing Revenue Bonds - 149 Mason Street Apartments - not to exceed $15,275,000] **Mayor**

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds (as defined herein) in an aggregate principal amount not to exceed $15,275,000 for the purpose of providing financing for a multifamily rental housing project to be known as 149 Mason Street Apartments; approving the form of and authorizing the execution of a trust indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary to implement this resolution; and related matters.

Enacted Number:	230-08

ADOPTED

080623	**[Grant funds to support the Aboveground Petroleum Storage Act program - $63,567.48]**	**Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health's Environmental Health Section (DPH-EHS) to enter into an agreement with the California Environmental Protection Agency (Cal/EPA) and to designate a representative to sign the agreement and any amendments thereto for implementation of the Aboveground Petroleum Storage Act (APSA) and to accept and expend retroactively a new grant in the amount of

$63,567.48 from CEPA to support the "Aboveground Petroleum Storage Act Program" for the period of January 1, 2008 through March 1, 2010.

Enacted Number: 231-08

ADOPTED

080624 [Proclaiming June, July and August of 2008 as "Soda Free Summer"] **Supervisor Dufty**

Resolution proclaiming June, July and August of 2008 as "Soda Free Summer" in the City and County of San Francisco, and urging all San Franciscans to join Shape Up SF to "Rethink Your Drink" and go Soda Free this summer.

Enacted Number: 232-08

ADOPTED

080625 [Commending Mimi Silbert and declaring May 15, 2008 to be Mimi Silbert Day] **Supervisor Sandoval**

Resolution commending Mimi Silbert for more than 36 years of leadership as the President and CEO of Delancey Street and her steadfast commitment to the rehabilitation and reintegration of more than 14,000 people nationwide, and declaring May 15, 2008 to be Mimi Silbert Day, on the occasion of her recognition by the Women Defenders at their 2008 Spring Event.

Enacted Number:	235-08

ADOPTED

080626 [Public Works Week - May 18 - 24, 2008] **Supervisor McGoldrick**

Resolution declaring May 18 through May 24, 2008 as Public Works Week.

Enacted Number:	233-08

ADOPTED

080627 [Commending AcroSports] **Supervisor McGoldrick**

Resolution commending AcroSports on their 15 years of service to the community.

Enacted Number:	234-08

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from the Without Reference to Committee Agenda

Supervisor Chu requested that this matter be severed so that it might be considered separately.

080598 [Urging the California State Assembly to support the passage of Assembly Bill 2153] **Supervisor Ammiano**

Resolution urging the California State Assembly to support the passage of Assembly Bill 2153 and directing the City's lobbyist to work towards this end.

Enacted Number: 226-08

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Chu, Elsbernd

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

080630 [Solar Energy Incentive Pilot Program] **Supervisor Mirkarimi**

Ordinance creating a Solar Energy Incentive Pilot Program; establishing limits on the incentive payments; providing eligibility criteria for the incentive payments; establishing limits on the amount of assistance available; allocating program funding among types of buildings; and imposing duties and responsibilities on the program administrator.

5/13/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080652	**[Rental Subsidy Program for Low-Income Families]**	**Supervisor Daly**

Ordinance adding Sections 48.1 through 48.7 to the San Francisco Administrative Code creating the Rental Subsidy Program for Low-Income Families that establishes a need-based local housing subsidy for homeless families subject to the fiscal and budgetary provisions of the Charter.

5/13/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/12/2008.

080656	**[Public Employment and Accept-Expend Federal Grant - Amendment to the Annual Salary Ordinance, FY 2007-2008. Mayor's Summer Food Service Program and After School Snack Program - 2008 - $950,710]**	**Supervisor Maxwell**

Ordinance amending Ordinance No. 175-07 (Annual Salary Ordinance 2007-2008) to reflect the addition of one position (0.40 FTE) 9774 Sr. Community Development Specialist, one position (0.40 FTE)

1840 Jr. Management Assistant, and thirteen positions (1.04 FTE) 9910 Public Service Trainee in the Department of Children, Youth and Families (CHF), and authorizing the department to accept and expend a grant in the amount of $950,710, currently and retroactively, if necessary, from the United States Department of Agriculture to sponsor the 2008 Mayor's Summer Food Program and the After School Snack Program.
5/13/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080657 [Priorities for Public Utilities Commission's expenditures from Sustainable Energy Account Funds] **Supervisor McGoldrick**

Ordinance establishing priorities for expenditures by the Public Utilities Commission from the Mayor's Energy Conservation Account.
5/13/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080658 [General Advertising on City Buildings and Street Furniture] **Supervisor McGoldrick**

Ordinance amending the San Francisco Administrative Code by adding Section 4.20-1 to make it City policy that there should not be any new general advertising signs on street furniture and to prohibit new general advertising signs visible to the public on the exterior of City-owned buildings.

5/13/08, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 6/12/2008.

080660 [Zoning - Urgency Ordinance Extending An Interim Zoning Moratorium On Enterprises That Sell Tobacco Paraphernalia] **Supervisor Sandoval**

Urgency Ordinance extending an interim zoning moratorium for six (6) months, to temporarily prohibit the establishment of new enterprises, subject to specified exceptions, that sell Tobacco Paraphernalia, as defined, in all Commercial, Mixed Use and Industrial districts, and making findings, including findings of consistency with the Priority Policies of Planning Code Section 101.1 and environmental findings.

5/13/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee. 6/5/08 - Submitted ten-day notice for publication on 6/7/08.

080661 [Waiver process for garbage receptacle enclosure requirements on residential property] **Supervisor Sandoval**

Ordinance amending San Francisco Public Works Code Section 170 concerning garbage receptacles to authorize a waiver process to the enclosure requirements for residential properties.

5/13/08, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 6/12/2008. (Referred to Planning Department for environmental review.)

080662	**[Fees for Processing a Redemption of Tax Defaulted Property or a Secured Property Tax Second Installment Delinquency Notice]**	**Mayor, Supervisor McGoldrick**

Ordinance amending the San Francisco Administrative Code by amending Section 8.34.1, to authorize the Tax Collector to charge a fee of $55.00 to cover the cost of processing a redemption of property that is in default due to the failure to pay property tax and a fee of $45.00 to cover the cost of processing a delinquency notice on the second installment of each separate valuation on the secured property tax roll, and to provide for an automatic adjustment of the fees for inflation. 5/13/08, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 6/12/2008. 05/19/08-Referred to Planning for determination of environmental impact. 05/19/08-Referred to the Tax Collector for review and comment. 05/22/08 - Response received from Planning, exepmt from CEQA.

080663	**[San Francisco General Hospital and Trauma Center General Obligation Bond**	**Mayor, Supervisors Ammiano,**

Election]

**Maxwell,
Alioto-Pier,
Chu, Daly,
Dufty,
McGoldrick,
Mirkarimi,
Sandoval**

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 4th 2008, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded debt of the City and County: $887,400,000 for the building and/or rebuilding and improving of the earthquake safety of the San Francisco General Hospital and Trauma Center and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and

interest; prescribing notice to be given of such election; adopting findings under the California Environmental Quality Act, ("CEQA"), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations; finding that the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with the restrictions on the use of bond proceeds specified in Section 53410 of the California Government Code; incorporating the provisions of the San Francisco Administrative Code, Sections 5.30 - 5.36; and waiving the time requirements specified in Section 2.34 of the San Francisco Administrative Code.
(Fiscal Impact.)
5/13/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. 5/20/08 - Transmitted letter via email to Planning Commission, Planning Director, Environmental Review Officer, Zoning Administrator, Environmental Analysis, Katy Stacy, Deputy City Attorney.

Resolutions

080653 **[Accept-Expend Ryan White HIV/AIDS Treatment Modernization Act Grant - $4,758,228]** **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a one-time funding award of Ryan White Part A (RWPA) funds for the San Francisco Eligible Metropolitan Area (SF EMA) in the amount of $4,758,228 from the Health Resources and Services Administration (HRSA) to support HIV Health Services; for the period of July 1, 2007 through February 29, 2008.

5/13/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080654 **[Grant funds to support HIV/AIDS treatment and prevention services - $1,244,866]** **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend a new grant in the amount of $1,244,866 from the Department of Health & Human Services - Centers for Medicare & Medicaid Services (DHHS-CMS) to support a project entitled "Improving HIV/AIDS Treatment and Prevention Services," for the period of July 1, 2008 through June 30, 2009.

5/13/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080667	**[90 day extension for Planning Commission review - Liquor Stores]**	**Supervisor Sandoval**

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend the Planning Code by adding Section 226.5 to impose a distance requirement of 500 feet or more between new off-sale liquor stores and existing liquor stores, schools, public libraries, and recreation centers and establishing conditions for operation of liquor stores.

5/13/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080664	**[San Francisco General Hospital and Trauma Center General Obligation Bonds]**	**Mayor, Supervisors Ammiano, Maxwell, Alioto-Pier, Chu, Daly, Dufty, McGoldrick, Mirkarimi, Sandoval**

Resolution determining and declaring that the public interest and necessity demand the building and/or rebuilding and improving of the earthquake safety of the San Francisco General Hospital and Trauma Center and related costs necessary or convenient for the foregoing purposes; finding that the estimated cost of $887,400,000 for such improvements is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require incurring bonded indebtedness; adopting findings under the California Environmental Quality Act, ("CEQA"), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; and waiving the time limits set forth in Administrative Code section 2.34.

(Fiscal Impact.)

5/13/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. 5/20/08 - Transmitted letter via email to Planning Commission, Planning Director, Environmental Review Officer, Zoning Administrator, Environmental Analysis, Katy Stacy, Deputy City Attorney.

080668	**[Commending Theresa Sparks, Joan Benoit, Joey Cain, Julius Turman, Marvin Burrows, Erick**	**Supervisors Sandoval, Ammiano**

Arguello, Evan Low, and the Gay Asian Pacific Alliance on their selection as grand marshals for the 38th Annual San Francisco LGBT Pride Celebration and Parade]

Resolution commending Theresa Sparks, Joan Benoit, Joey Cain, Julius Turman, Marvin Burrows, Erick Arguello, Evan Low, and the Gay Asian Pacific Alliance on their selection as grand marshals for the 38th Annual San Francisco LGBT Pride Celebration and Parade.

5/13/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080669	**[Commending Kelly McMenimen, Elizabeth Rutzick, and Ian Tuller for their efforts to stop the proposed spraying for the Light Brown Apple Moth]**	**Supervisors Sandoval, Mirkarimi**

Resolution commending Kelly McMenimen, Elizabeth Rutzick, and Ian Tuller for their efforts to stop the proposed spraying to eradicate the Light Brown Apple Moth and for their Stop the Spray Town Hall Meeting, which took place on Thursday, May 8, 2008.

5/13/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080670 [Urging Governor Schwarzenegger and the State Legislature to restore funding for public higher education] **Supervisors Ammiano, Elsbernd, Dufty**

Resolution expressing deep concern over the proposed budget cuts to the CSU and CCC systems and urging our Governor and Legislature to restore and reinvigorate funding for public higher education in California.

5/13/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080671 [Peace Officers' Memorial Day and National Police Week] **Supervisor Alioto-Pier**

Resolution declaring May 15 Peace Officers' Memorial Day and the week in which May 15 falls as National Police week.

5/13/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080672 [Funds to support HIV rapid testing and counseling in drug abuse treatment programs - $18,676] **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH), to accept and expend retroactively a grant in the amount of $18,676 from the University of California, San

Francisco (UCSF), the primary contractor, with funds from the National Institutes of Health, to support a study of HIV rapid testing and counseling in drug abuse treatment programs, for the period of September 1, 2007 through August 31, 2008.

5/13/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

080655	**[Directing the Budget Analyst to identify funding sources and funding milestones in connection with the implementation of the San Francisco Police Department Information Technology Strategic Plan]**	**Supervisor Dufty**

Motion directing the Budget Analyst to identify funding sources and funding milestones in connection with the implementation of the San Francisco Police Department Information Technology (IT) Strategic Plan.

5/13/08, RECEIVED AND ASSIGNED to Public Safety Committee.

080659	**[Appointment, Board of Appeals - Kendall Goh]**	**Supervisor Peskin**

Motion approving the Board of Supervisors President

Peskin's appointment of Kendall Goh to the Board of Appeals for the term ending July 1, 2008.

5/13/08, RECEIVED AND ASSIGNED to Rules Committee.

080665	**[Waiver permitting City employees to assist the Department of Elections with the June 3, 2008 election]**	**Supervisor Peskin**

Motion granting a waiver from the prohibition imposed by Charter Section 13.104.5, to permit City employees to assist the Department of Elections with the June 3, 2008 election.

5/13/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080666	**[Adopting the Planning Department's report on the Interim Moratorium on Tobacco Paraphernalia Retail Stores]**	**Supervisor Sandoval**

Motion adopting the Planning Department's report on the interim zoning moratorium to prohibit the establishment of new Tobacco Paraphernalia Retail Stores for 45 days.

5/13/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Charter Amendments

080618 [Board of Supervisors Aides] **Supervisor McGoldrick**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Section 2.117, to authorize a third aide for members of the Board of Supervisors.

5/6/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/5/2008. 5/9/08, Referred to departments for review and comments (see file for dept. list).

5/13/08, RESPONSE RECEIVED. Planning CEQA determination.

5/13/08, SUBSTITUTED. Supervisor McGoldrick submitted a substitute charter amendment bearing new title. 5/16/08, Referred (2nd Draft) to departments for review and comments (see file for dept. list)

080638 [Creating an Independent Ratepayer Advocate to review and recommend utility service rates proposed by the San Francisco Public Utilities Commission] **Supervisor Alioto-Pier**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding Section 8B.128, to require the City Administrator to appoint an Independent Rate Payer Advocate, and prescribing the duties and responsibilities of the Independent Rate Payer

Advocate.
5/13/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/12/2008. 5/16/08, Referred (1st Draft) to departments for review and comments (see file for dept. list)

080639 **[Retirement system credit for unpaid parental leave]** **Supervisor Alioto-Pier**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by: adding Sections A8.523 through A8.523-7, to allow retirement system credit for eligible safety members who have taken unpaid parental leave while employed with the City and County; amending Sections A8.559-10, A8.585-10, A8.586-10, A8.588-10, A8.595-10, A8.596-10, A8.597-10, and A8.598-10, relating to computation of service credit for a period of unpaid parental leave; and amending Sections A8.559-11, A8.585-11, A8.586-11, A8.588-11, A8.595-11, A8.596-11, A8.597-11, and A8.598-11, relating to the source of funds for eligible safety members who elect to purchase service credit for a period of unpaid parental leave.
5/13/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/12/2008. 5/16/08, Referred to departments for review and comments (see file for dept. list).

080640 **[Ordinances and Resolutions adopted by the Board of Supervisors under the** **Supervisor Daly**

Community Redevelopment Law]

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Sections 2.15 and 3.103, to modify the procedures for adoption of ordinances and resolutions when the Board of Supervisors acts as the local legislative body under the Community Redevelopment Law.

5/13/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/12/2008.

080641	**[Pier 70 plan and lease approvals; General Fund financing for Pier 70 waterfront improvements; transfer of funds according to agreements between the Port Commission and other departments; priorities for use of Port funds]**	**Supervisor Maxwell**

Draft Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by: amending Section B6.406 to update the priorities for use of Port funds; adding Section B7.310 to authorize the Board of Supervisors to approve a financial and land use plan for a Pier 70 Maritime District submitted by the Port, which may include financing or incentives for Pier 70 waterfront improvements; and adding Section B7.320 to require appropriations for certain agreements between the Port and other City departments submitted by the Mayor to the Board of Supervisors and approved by the Board of Supervisors.

5/13/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2008.

080642	**[Number of signatures required to qualify a recall petition.]**	**Supervisor McGoldrick**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section 14.103, to raise the number of signatures required to qualify a recall petition for member of the Board of Supervisors from 10 percent of the registered voters of the district to 20 percent.

5/13/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/12/2008. 5/16/08, Referred to departments for review and comments (see file for dept. list).

080643	**[City Elections In Even-Numbered Years]**	**Supervisor McGoldrick**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Sections 2.101 and 13.101 and Article XVII to change the election cycle for the offices of Mayor, Sheriff, District Attorney, City Attorney and Treasurer so that these offices will be elected in even-numbered years; and to amend the definition of general municipal election so that such elections occur only in even-numbered years.

5/13/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/12/2008. 5/19/08, Referred to departments for review and comments (see file for dept. list)

080644 [Municipal Transportation Agency Board of Directors; Parking Authority Commission] **Supervisor McGoldrick**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Sections 8A.102, 8A.112, and 15.105 to divide the power to nominate members of the Municipal Transportation Agency's Board of Directors between the Mayor, the President of the Board of Supervisors, and the Controller, subject to confirmation of all nominations by the Board of Supervisors, setting the compensation of members of the Board of Directors at $1,000 per month, and fixing the status of the Board of Directors as members of the Parking Authority Commission.

5/13/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/12/2008. 5/19/08, Referred to departments for review and comments (see file for dept. list).

080645 [Prohibition on City employees serving as members of Charter boards and commissions] **Supervisor McGoldrick**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section 4.101, to prohibit City employees from serving as members of boards and commissions created in the Charter.

5/13/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/12/2008. 5/19/08, Referred to departments for review and comments (see file for dept. list).

080646 **[Eliminating the Police Department minimum staffing requirement]** **Supervisor McGoldrick**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Sections 4.127 and 16.123, to eliminate the Police Department minimum staffing requirement.

5/13/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/12/2008. 5/19/08, Referred to departments for review and comments (see file for dept. list).

080647 **[Commission on the Environment]** **Supervisor Mirkarimi**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Section 4.118, to clarify the authority of the Commission on the Environment to consider environmental justice issues and to review City building and land use policies for environmental sustainability; and allowing the Commission to investigate and make recommendations to City agencies regarding climate change.

5/13/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2008.

080648 [Energy Security, Cost Reduction and Environmental Protection] **Supervisor Mirkarimi**

Charter Amendment (First Draft) to amend the Charter of the City and County by amending Sections 8B.120, 8B.123, and 9.107 to address the need to change electricity production, delivery, and use to ensure environmentally sustainable and affordable electric supplies for residents, businesses, and City departments and to require the Public Utilities Commission to comprehensively study and determine the most effective means of providing clean, sustainable, reliable and reasonably-priced electric service to San Francisco residents, businesses and City departments.

5/13/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/12/2008.

080649 [Promoting and Sustaining Music and Culture in San Francisco] **Supervisors Mirkarimi, Ammiano, Sandoval**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding Section 16.128, which is designed to promote music and culture in San Francisco by establishing a music and culture sustainability policy and incorporating those principles into the General

Plan of the City and County; and amending Section 4.106 to provide that the Board of Appeals shall have jurisdiction to hear appeals involving entertainment-related permits and events under the jurisdiction of the Recreation and Park Commission or Department.

5/13/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/12/2008. 5/19/08, Referred to departments for review and comments (see file for list).

080650 [Creating a Landmarks Preservation Board] **Supervisor Peskin**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section 4.105 and adding Section 4.135 to establish an independent Landmarks Preservation Board with authority to: recommend approval, disapproval or modification to the Board of Supervisors of landmark, historic district, and conservation district designations under the Planning Code and historical property contracts under Chapter 71 of the Administrative Code without referral to the Planning Commission; approve, disapprove, or modify certificates of appropriateness as set forth in Article 10 of the Planning Code; approve, disapprove, or modify permits for major alterations as set forth in Article 11 of the Planning Code; and take such other actions on matters as may be prescribed by ordinance.

5/13/08, ASSIGNED UNDER 30 DAY RULE to Rules

Committee, expires on 6/12/2008. 5/19/08, Referred to departments for review and comments (see file for dept. list).

080651 [Policy regarding budget set-asides] **Mayor**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding Section 9.119 to: (1) establish as official City policy that the voters will not approve new set-asides or other mandated levels of spending without identifying a new funding source for the program, and that the duration and any annual growth in the set-aside or mandated level of spending be limited; and (2) require that the voter information pamphlet include a specific Controller's analysis of the fiscal impact of a proposed new set-aside.

5/13/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/12/2008.

PROPOSED ORDINANCES

PROPOSED RESOLUTIONS

080570 [Accepting gift to the Fire Department - $27,551]

Resolution accepting a gift to the Fire Department from the Fireman's Fund Insurance Company Heritage Program of equipment and materials for the Department's Division of Training Resource Library valued at $27,551. (Fire Department) 5/1/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Requests Granted

From: Supervisor Sandoval
To: Director, Department of Parking and Traffic
Requesting/Inquiring: Requesting that the Department of Parking and Traffic study the appropriateness of installing a crosswalk in front of the Mission YMCA at 4080 Mission Street.
Further requesting that the Department of Parking and Traffic send a copy of their response to:
Tanya Bluford Wendy Ayala
Executive Director Senior Programs Director
Mission YMCA Mission YMCA
4080 Mission Street 4080 Mission Street
San Francisco, CA 94112 San Francisco, CA 94112
From: Supervisor Sandoval
To: Director, Department of Parking and Traffic
Requesting/Inquiring: Requesting that the Department of Parking and Traffic study the appropriateness of installing an ALL-WAY stop sign at the intersection of Plymouth Avenue and Montana Street.
Further requesting that the Department of Parking and Traffic send a copy of their response to:
Francisco Casco
739 Plymouth Avenue
San Francisco, CA 94112
From: Supervisor Sandoval

To: Director, Department of Parking and Traffic
Requesting/Inquiring: Requesting that the Department of Parking and Traffic study the appropriateness of installing speed humps on the 100 block of Seville Street.
Further requesting that the Department of Parking and Traffic send a copy of their response to:
Francisco Casco
130 Seville Street
San Francisco, CA 94112
From: Supervisor Sandoval
To: Director, Department of Public Health
Requesting/Inquiring: Requesting that the Department of Public Health (Dr. Rajiv Bhatia) respond to the following:

1. Any and all additional efforts being undertaken by the State of California to study the effects on people resulting from the proposed spray treatments for the Light Brown Apple Moth;

2. Any independent review the City has conducted to understand the effects of the proposed spray treatments for the Light Brown Apple Moth.

Also requesting that Dr. Bhatia's response is received within 30 days of delivery of this inquiry.
Also requesting that the a copy of the response be sent to:
Elizabeth Rutzick and Ian Tuller
San Franciscans concerned about the spray
1247 42nd Avenue
San Francisco, CA 94122
From: Supervisor Mirkarimi
To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from the following locations:
Phone Switch Boxes:
Northwest corner of Haight and Steiner
Northeast corner of Octavia and Ivy
Southeast corner of Scott and Haight
Southeast corner of Buchanan and Fell
City Trash Cans:
Southwest corner of Buchanan and Hayes
Buchanan and Haight Streets
Mailboxes:
Hayes and Laguna
Eddy and Steiner
Haight and Octavia
Southwest corner of Fe and Buchanan
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from the following public property located at the following locations:
Emergency Call Boxes:
Southeast corner of Cole and 17th Avenue
Southeast corner of Funston and Lincoln
Southeast corner of 5th Avenue and Lincoln
From: Supervisor Mirkarimi
To: Director, Department of Human Resources
Requesting/Inquiring: Requesting that the Director of the Department of Human Resources send a survey letter to all qualifying City Employees retiring under Proposition B asking when and if they plan to retire

during fiscal year 2008/2009.
From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from newsstands at the following locations:
San Francisco Bay Guardian:
Southeast corner of Laguna and Page
Northwest corner of Fillmore and Geary
Southeast corner of Fillmore and Haight
San Francisco Chronicle:
Southeast corner of Laguna and Page
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Examiner:
Northwest corner of Fillmore and Hayes
Northwest corner of Hayes and Gough
Southeast corner of Haight and Fillmore
From: Supervisor Dufty
To: Office of the Mayor
Requesting/Inquiring: Requesting that the Office of the Mayor direct its representative(s) and advocate(s) responsible for intergovernmental relations between San Francisco and the State, and San Francisco and the Federal Government to ascertain whether there may be state and/or federal funding for implementation of the San Francisco Police Department Information Technology Strategic Plan (aka The Gartner Report). This advocacy should use the Five-Year Road Map outlined in the Information Technology Strategic Plan to identify appropriate requests from the State and Federal government,

particularly for costly one-time technological investments.
From: Supervisor Dufty, Supervisor Ammiano
To: City Purchaser
Requesting/Inquiring: Requesting that the City Purchaser communicate to vendors that the City Purchaser will no longer accept Styrofoam packing and packaging in purchases. Instead, the City Purchaser will encourage vendors to use the numerous biodegradable packing and packaging materials that can be substituted for Styrofoam.

In Memoriams

Claude N. Rosenberg, Jr.- Supervisor Dufty
Victims of the earthquake in China - Supervisor Chu

Special Board of Supervisors Meeting
Budget and Finance Committee
May 14, 2008
At the hour of 1:20 p.m. Supervisor Dufty was noted present at the Budget and Finance meeting creating a quorum of the Board of Supervisors for the following items. A Special Board of Supervisors meeting was convened.
Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu, Dufty
File No. 080568 Refunding or Conversion of Laguna Honda Variable Rate Demand General Obligation Bonds, Series 2005B, Series 2005C and Series 2005D-$120,000,000
Ordinance approving the form and authorizing the

execution of refunding bonds to refinance, in whole and/or in part, the $120,000,000 City and County of San Francisco Variable Rate Demand General Obligation Bonds (Laguna Honda Hospital, 1999) Series 2005B, Series 2005C and 2005D (the "Prior Variable Rate Bonds") or approving the conversion of said bonds; approving the form and authorizing the execution of a Declaration of Trust relating to the refunding bonds; approving the tax levy for repayment of the refunding bonds; authorizing the appointment of the Treasurer as paying agent and the appointment of agents for the refunding bonds; authorizing the form of an Official Notice of Sale and Notice of Intention to Sell, and authorizing the City's compliance with a Continuing Disclosure Agreement relating to the refunding bonds; directing the publication of the Notice of Intention to Sell Bonds; approving the form of an Official Statement in preliminary and final form and authorizing the execution and delivery of a final Official Statement relating to the refunding bonds; approving the execution of a Bond Purchase Contract and authorizing the appointment of underwriters relating to the converted bonds; approving the form of an Official Statement Supplement in final form and authorizing the execution and delivery of a final Official Statement Supplement relating to the converted bonds; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take all necessary action in connection with the authorization, issuance, sale and delivery of said bonds or the conversion of said bonds.

ADJOURNMENT

There being no further business the Board adjourned at the hour of 3:52 p.m.

Angela Calvillo, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 24, 2008.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee. Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media

Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetingsFor information, call (415) 554-5184. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7719

Disability access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.
The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines

are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing

Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

GOVERNMENT
DOCUMENTS DEPT

JAN - 9 2009

SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

Tuesday, May 20, 2008
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting
Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present:	*Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*
Members Excused:	*None.*
Members Absent:	*None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:04 p.m. On the call of the roll Supervisor Maxwell was noted absent. There was a quorum present.
Supervisor Maxwell was noted present at 2:06 p.m.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

080519	**[Accept-Expend Sidney E. Frank Foundation Grant and**	**Supervisor Alioto-Pier**

Amendment to the Annual Salary Ordinance, FY 2007-2008 - $200,000]

Ordinance authorizing the Department of the Environment to accept and expend a grant in the amount of $200,000 from the Sidney E. Frank Foundation to carry out the critical task of engaging key stakeholders and interest groups to solicit input for a wave energy project and amending Ordinance Number 175-07 to reflect the addition of one (1) grant-funded position at the Department of the Environment.

Enacted Number: 92-08

FINALLY PASSED

080565 **[Accept-Expend Federal Grant and Amend Annual Salary Ordinance, FY 2007-2008 - $307,375]** **Supervisor Mirkarimi**

Ordinance authorizing the Department of Economic and Workforce Development to retroactively accept and expend a grant in the amount of $307,375 from the California Employment Development Department for workforce development activities, and amending the Annual Salary Ordinance to provide for the creation of certain grant-funded positions.

Enacted Number: 95-08

FINALLY PASSED

Recommendation of the City Operations and Neighborhood Services Committee

080601 **[Waiver of temporary street space occupancy fee on May 17, 2008 for Small Business Week Sidewalk Sale]** **Supervisors Elsbernd, Chu**

Ordinance waiving the fee in Public Works Code Section 724.1(b) for temporary street space occupancy in certain sections of the City on Saturday, May 17, 2008 as part of Small Business Week.

Enacted Number: 96-08

FINALLY PASSED

Recommendation of the Government Audit and Oversight Committee

080404 **[Appropriating $593,490,962 of proceeds from the sale of bonds for capital improvement projects at the San Francisco International Airport for Fiscal Year 2007-2008]** **Mayor, Supervisor Chu**

Ordinance appropriating $593,490,962 of proceeds from the sale of bonds for capital improvement

projects at the San Francisco International Airport for Fiscal Year 2007-2008. Place total appropriation of $593,490,962 on Controller's Reserve pending sale of the bonds.
(Fiscal Impact.)

Enacted Number: 94-08

FINALLY PASSED

Recommendations of the Rules Committee

080509 [Settlement of Lawsuit - Debra Denise Reed - $65,000]

Ordinance authorizing settlement of the lawsuit filed by Debra Denise Reed against the City and County of San Francisco for $65,000; the lawsuit was filed on November 22, 2006 in San Francisco Superior Court, Case No. 458-146; entitled Debra Denise Reed, et al., v. City and County of San Francisco, et al (City Attorney)

Enacted Number: 97-08

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080510 [Settlement of Lawsuit - Jail No.

3 Replacement Project Cases, San Mateo County, JCCP Case No: 4422]

Ordinance authorizing settlement of the coordinated lawsuits, entitled Jail No. 3 Replacement Project Cases, San Mateo County, JCCP Case No: 4422, filed by AMEC Construction Management, Inc. ("ACMI") against the City and County of San Francisco, and filed by the City and County of San Francisco and the People of the State of California ("San Francisco") against ACMI, its parent and sister companies, its Surety companies, and its bond broker. (City Attorney)

Enacted Number: 91-08

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and

Finance Committee

080464 [Implementing a Deferred Retirement Option Program for certain members of the Police Department]

Ordinance adding Sections 16.63 through 16.63-10 to the Administrative Code to implement the Deferred Retirement Option Program approved by the San Francisco voters. (Retirement System) (Supervisor Daly dissented in Committee.)

Enacted Number: 93-08

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

Recommendations of the Government Audit and Oversight Committee

080592 [Appropriating $272,515,000 of COP Revenue for the San Francisco Public Utilities Commission Electrical Reliability Power Project for Fiscal Year 2007-2008] **Supervisors Maxwell, Peskin**

Ordinance appropriating $273,015,000 of San Francisco Certificates of Participation 2008 Series B and 2008 Series C to fund the San Francisco

Electrical Reliability Project also referred to as the Combustion Turbine projects in the Public Utilities Commission for FY 2007-2008.

(Fiscal Impact.) (Supervisor Alioto-Pier dissented in committee.)

Continued as amended to June 3, 2008

Supervisor Maxwell, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Ordinance appropriating $272,515,000 of San Francisco Certificates of Participation 2008 Series B and 2008 Series C to fund the San Francisco Electrical Reliability Project also referred to as the Combustion Turbine projects in the Public Utilities Commission for FY 2007-2008.

(Supervisor Alioto-Pier dissented in committee.)

Supervisor Elsbernd, seconded by Supervisor Chu, moved that this Ordinance be CONTINUED AS AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 1 - Daly

080523 [Approving agreements for the Supervisors

development of the City Combustion Turbine Projects at San Francisco International Airport and at 25th and Maryland Streets]

Maxwell, Dufty, McGoldrick, Peskin

Ordinance approving agreements necessary for the development of the City Combustion Turbine Projects to be located at North Access Road and Clearwater Drive, San Francisco International Airport, and at Property Adjacent to the MTA Metro East Facility at 25th and Maryland Streets in San Francisco including a turbine upgrade agreement and electric and gas interconnection agreements and granting specified exceptions to the Administrative Code.

(Fiscal Impact.) (Supervisor Alioto-Pier dissented in committee.)

Supervisor Elsbernd, seconded by Supervisor Chu, moved to amend further and continue this item as amended to June 3, 2008.

Continued to June 3, 2008

Supervisor Maxwell, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Ordinance approving agreements necessary for the development of the City Combustion Turbine Projects to be located at North Access Road and Clearwater Drive, San Francisco International Airport, and at Property Adjacent to the MTA Metro East Facility at 25th and Maryland Streets in San Francisco including a turbine upgrade agreement and electric and gas interconnection agreements and granting specified exceptions to the Administrative Code, and making environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section. 101.1.

(Supervisor Alioto-Pier dissented in Committee.)

Supervisor Elsbernd, seconded by Supervisor Chu, moved that this Ordinance be CONTINUED AS AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 1 - Daly

080577	**[Approving agreements for the development of the City Combustion Turbine Projects at San Francisco International Airport and at 25th and Maryland Streets and adopting environmental findings]**	**Supervisors Maxwell, Dufty, McGoldrick, Peskin**

Resolution approving agreements necessary for the development of the City Combustion Turbine Projects to be located at North Access Road and Clearwater Drive, San Francisco International

Airport, and at Property Adjacent to the MTA Metro East Facility at 25th and Maryland Streets in San Francisco, including a design-build agreement and a power purchase agreement; and approving property agreements, including a jurisdictional transfer of property to accommodate the proposed projects, subject to further agreements among the affected City departments; and making environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Supervisor Elsbernd, seconded by Supervisor Chu, moved to amend further and continue this item as amended to June 3, 2008.

Continued to June 3, 2008

Supervisor Maxwell, seconded by Supervisor Elsbernd, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Elsbernd, seconded by Supervisor Chu, moved that this Resolution be CONTINUED AS AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

080524	**[Authorizing the execution and delivery of certificates of participation to finance the San Francisco Combustion Turbine Projects and approving property leases, project leases and a trust**	**Supervisors Maxwell, Dufty, McGoldrick, Peskin**

Resolution authorizing the execution and delivery of certificates of participation to finance the acquisition, construction, installation and equipping of natural gas-fired combustion turbine generation facilities on City-owned property located at 25th and Maryland Street in the Potrero neighborhood and at the San Francisco International Airport at the corner of North Access Road and Clearwater Drive; approving the form of a trust agreement between the City and County of San Francisco and a trustee (including certain indemnities contained therein); authorizing the selection of a trustee; approving the forms of property leases between the City and the trustee relating to the Potrero site and to the San Francisco International Airport site; approving the forms of project leases between the trustee and the City (including certain indemnities contained therein) relating to each of the two Projects; approving the form of a Memorandum of Understanding between the San Francisco Public Utilities Commission and the City; approving the form of an official notice of sale and notice of intention to sell for the certificates of participation; approving the form of an official statement in preliminary and final form; approving the form of a continuing disclosure certificate; and ratifying previous actions taken in connection therewith. (Supervisor Alioto-Pier dissented in committee.)

Continued as amended to June 3, 2008

Supervisor Maxwell, seconded by Supervisor Elsbernd, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Elsbernd, seconded by Supervisor Chu, moved that this Resolution be CONTINUED AS AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

NEW BUSINESS

Recommendation of the Budget and Finance Committee

080568 [Refunding or Conversion of Laguna Honda Variable Rate Demand General Obligation Bonds, **Mayor**

Series 2005B, Series 2005C and Series 2005D-$120,000,000]

Ordinance approving the form and authorizing the execution of refunding bonds to refinance, in whole and/or in part, the $120,000,000 City and County of San Francisco Variable Rate Demand General Obligation Bonds (Laguna Honda Hospital, 1999) Series 2005B, Series 2005C and 2005D (the "Prior Variable Rate Bonds") or approving the conversion of said bonds; approving the form and authorizing the execution of a Declaration of Trust relating to the refunding bonds; approving the tax levy for repayment of the refunding bonds; authorizing the appointment of the Treasurer as paying agent and the appointment of agents for the refunding bonds; authorizing the form of an Official Notice of Sale and Notice of Intention to Sell, and authorizing the City's compliance with a Continuing Disclosure Agreement relating to the refunding bonds; directing the publication of the Notice of Intention to Sell Bonds; approving the form of an Official Statement in preliminary and final form and authorizing the execution and delivery of a final Official Statement relating to the refunding bonds; approving the execution of a Bond Purchase Contract and authorizing the appointment of underwriters relating to the converted bonds; approving the form of an Official Statement Supplement in final form and authorizing the execution and delivery of a final Official Statement Supplement relating to the converted bonds; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take all necessary action in connection with the authorization, issuance, sale and delivery of said bonds or the conversion of said bonds.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Government Audit and Oversight Committee

080506 [Declaration of intent to transfer the duties of the Taxi Commission to the Municipal Transportation Agency] **Supervisor Peskin**

Resolution declaring the intent of the Board of Supervisors to transfer the duties of the Taxi Commission to the Municipal Transportation Agency.

Enacted Number: 236-08

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use and Economic Development Committee

080338 [Zoning Map Amendments in connection with the Bayview Hunters Point Area Plan]

Ordinance amending Zoning Map Sheets 8, 9, 10, and 10 SU of the City and County of San Francisco Planning Code to replace various M-1 and M-2 zones with PDR-1, PDR-2, and special use district designations in the South Basin and Northern Industrial areas of the Bayview Hunters Point Study Area, consistent with the Bayview Hunters Point Area Plan; and adopting General Plan, Planning Code Section 101.1, and environmental findings. (Planning Department)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080339 [Bayview Rezoning]

Ordinance amending the Planning Code by adding Sections 121.5, 121.7, 210.7, 210.8, 210.9, 230 and 249.32 and amending Sections 204.3, 204.4, 210, 210.6, and 213 through 227 to create a new Design and Development Special Use District and modify the existing M (Industrial) Districts to establish PDR-1 (Light Industrial Buffer) and PDR-2 (Production, Distribution and Repair) Districts and specify the use controls for activities in the PDR Districts, which generally will principally permit light manufacturing, wholesale and repair activities, prohibit or require a conditional use permit for heavy industry, prohibit housing, limit the size of retail and office uses, place controls on subdivision of large lots, provide accessory use guidelines and regulate the demolition of industrial buildings. (Planning Department)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor McGoldrick, seconded by Supervisor Dufty, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor McGoldrick welcomed, introduced and presented a Certificate of Honor to the Director of Public Works in recognition of Public Works Week in San Francisco.

SPECIAL ORDER 4:00 P.M.

070910 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 3424 Jackson Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 31, 2007 (Case No. 2005.1134E), exempting from environmental review under Categorical Exemption Class 1, [State Guidelines, Section 15301(e)(1)]. The proposal would construct an addition of approximately 780 square feet (sq ft) of new space, room repartitions, removal of a rear fire escape, and addition of a new rear egress staircase and three decks to a 6,510-sq ft, 35-foot-high, four-story, single-family dwelling constructed circa 1921. The proposed alterations would result in a building approximately 7,289 sq ft and 35 feet high with enlarged ground, first, second, and third floors to the rear (about 487 sq ft of additional space), and enlarged fourth floor toward the front of the building (an expansion of 292 sq ft). The site is a rectangular 4,469-sq ft parcel (Assessor's Block 0971; Lot 003B). The project site, located in the Presidio Heights neighborhood is zoned RH-1 (Residential, House - One Family) and is within a 40-X height and bulk district.

(Appellant: Howard N. Ellman on behalf of Mr. and

Mrs. Karkar)
(Filed June 14, 2007; companion measure to 070911, 070912, 070913; District 2.)

The President inquired as to whether any member of the public wished to address the Board members.
Continued to June 3, 2008

Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

070911 [Affirming the Categorical Exemption issued for the 3424 Jackson Street project]

Motion affirming the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to June 3, 2008

Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070912 [Disapproving the Categorical Exemption issued for the 3424 Jackson Street project]

Motion disapproving the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to June 3, 2008

Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070913 [Preparation of findings related to the 3424 Jackson Street project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 3424 Jackson Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to June 3, 2008

Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

COMMITTEE REPORTS

080593 [Appropriating $1,289,141 of interest earned for improvements to the California Academy of Sciences in the Recreation and Park Department for Fiscal Year 2007-2008] **Mayor**

Ordinance appropriating $1,289,141 of interest earned for improvements to the California Academy of Sciences in the Recreation and Park Department for Fiscal Year 2007-2008. (Fiscal Impact.)

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

James Chaffee; expressed concern with issues relating to the SF Public Library

Female speaker; expressed concern with issues relating to budgets cuts to the YMCA on Golden Gate Avenue

Richard Macree; expressed concern with issues relating to his patent for the Sigmund Grove design
Walter; shared memorabilia with the Board members
Eugene Gordon; Jr.; expressed concern with issues relating to the violation of human rights
Lizbet Sunshine; asked for support for the funding of California State Universities and Community Colleges
Alex Vegas; asked for support for the funding of California State Universities and Community Colleges
Seth Lawkins; expressed concern with issues relating to the proposed budget reductions cuts for Chinese medicine treatments for HIV patients
Peter Warfiled; expressed concern with issues relating to the collection of $115 for lost book fees collected by the SF Public Library
Ramon Castablanc; asked for support for the funding of California State Universities and Community Colleges
Male speaker; shared with the Board historicial information relating to San Francisco
Sam Young; expressed concern with issues relating to drug dealing, illegal alcohol usuage and prostitution on Broadway

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor

may require any resolution to go to committee.
Supervisor McGoldrick was noted absent at 3:20 p.m.

080667	**[90 day extension for Planning Commission review - Liquor Stores]**	**Supervisor Sandoval**

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend the Planning Code by adding Section 226.5 to impose a distance requirement of 500 feet or more between new off-sale liquor stores and existing liquor stores, schools, public libraries, and recreation centers and establishing conditions for operation of liquor stores.

Enacted Number:	237-08

ADOPTED

080668	**[Commending Theresa Sparks, Joan Benoit, Joey Cain, Julius Turman, Marvin Burrows, Erick Arguello, Evan Low, and the Gay Asian Pacific Alliance on their selection as grand marshals for the**	**Supervisors Sandoval, Ammiano**

Resolution commending Theresa Sparks, Joan Benoit, Joey Cain, Julius Turman, Marvin Burrows, Erick Arguello, Evan Low, and the Gay Asian Pacific

Alliance on their selection as grand marshals for the 38th Annual San Francisco LGBT Pride Celebration and Parade.

Enacted Number: 238-08

ADOPTED

080669	**[Commending Kelly McMenimen, Elizabeth Rutzick, and Ian Tuller for their efforts to stop the proposed spraying for the Light Brown Apple Moth]**	**Supervisors Sandoval, Mirkarimi**

Resolution commending Kelly McMenimen, Elizabeth Rutzick, and Ian Tuller for their efforts to stop the proposed spraying to eradicate the Light Brown Apple Moth and for their Stop the Spray Town Hall Meeting, which took place on Thursday, May 8, 2008.

Supervisor Chu requested to be added as a co-sponsor.

Enacted Number: 241-08

ADOPTED

080670	**[Urging Governor Schwarzenegger and the State Legislature to restore funding for public higher education]**	**Supervisors Ammiano, Elsbernd, Dufty**

Resolution expressing deep concern over the proposed budget cuts to the CSU and CCC systems and urging our Governor and Legislature to restore and reinvigorate funding for public higher education in California.

Supervisor Chu requested to be added as a co-sponsor.

Enacted Number: 239-08

ADOPTED

080671 **[Peace Officers' Memorial Day and National Police Week]** **Supervisor Alioto-Pier**

Resolution declaring May 15 Peace Officers' Memorial Day and the week in which May 15 falls as National Police week.

Supervisor Chu requested to be added as a co-sponsor.

Enacted Number: 240-08

ADOPTED

080672 **[Funds to support HIV rapid testing and counseling in drug abuse treatment programs - $18,676]** **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH), to accept and expend retroactively a grant in the amount of

$18,676 from the University of California, San Francisco (UCSF), the primary contractor, with funds from the National Institutes of Health, to support a study of HIV rapid testing and counseling in drug abuse treatment programs, for the period of September 1, 2007 through August 31, 2008.

Enacted Number: 242-08

ADOPTED

080665 [Waiver permitting City employees to assist the Department of Elections with the June 3, 2008 election] **Supervisor Peskin**

Motion granting a waiver from the prohibition imposed by Charter Section 13.104.5, to permit City employees to assist the Department of Elections with the June 3, 2008 election.

Enacted Number: M08-85

APPROVED

080666 [Adopting the Planning Department's report on the Interim Moratorium on Tobacco Paraphernalia Retail Stores] **Supervisor Sandoval**

Motion adopting the Planning Department's report on the interim zoning moratorium to prohibit the establishment of new Tobacco Paraphernalia Retail

Stores for 45 days.

Enacted Number: M08-86

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved ADOPTION of the commendatory finding. The motion carried by the

following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

080681 [Proclaiming May 22, 2008 as John Muir School Teacher Appreciation Day] **Supervisor Mirkarimi**

Resolution proclaiming May 22, 2008 as John Muir Elementary School Teacher Appreciation Day in honor of John Muir Elementary School's principal, teachers, and staff.

Enacted Number: 243-08

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

080685	**[Amending Ordinance 174-07 to Remove Funding Reserve for the Community Justice Center in the Mayor's Office for Fiscal Year 2007-2008]**	**Supervisor Dufty**

Ordinance amending the Annual Appropriation Ordinance, Ordinance 174-07 File Number 070773, to remove the $500,000 reserve on the Community Justice Center in the Mayor's Office for Fiscal Year 2007-2008.

(Fiscal Impact.)

5/20/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080686	**[Landmark Tree Designation of Monterey Cypress at 2626 Vallejo Street]**	**Supervisor Alioto-Pier**

Ordinance designating the Monterey Cypress at 2626 Vallejo Street (Assessor's Block 0953, Lot 006) as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

5/20/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080687 [Landmark Designation of Manzanita at 115 Parker Avenue] **Supervisor Alioto-Pier**

Ordinance designating the Manzanita at 115 Parker Street (Assessor's Block 1064, Lot 002) as a landmark notwithstanding the provisions contained in the Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark designation.

5/20/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080690 [Authorizing the Health Commission to perform and award contracts for public work and related professional services] **Supervisor Elsbernd**

Ordinance amending San Francisco Administrative Code Chapter 6, Section 6.2, to add the Health Commission and the Department of Public Health to the list of those commissions and departments authorized to perform and award contracts for public work and related professional services.

5/20/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/19/2008.

080691 [Zoning - HOPE SF Hunters **Supervisor**

View SUD and the 40/65-X Height and Bulk District] **Maxwell**

Ordinance amending the San Francisco Planning Code by adding Section 263.20 to establish special exceptions for heights within the HOPE SF Hunters View Special Use District and the 40/65-X Height and Bulk District, allowing residential buildings with conditional use authorization pursuant to Planning Code Sections 303 and 304 to have a maximum height of 65 feet; adopting environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

5/20/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/19/2008.

080692 **[Zoning - HOPE SF Hunters View Special Use District]** **Supervisor Maxwell**

Ordinance amending the San Francisco Planning Code by adding Section 249.39 to establish the HOPE SF Hunters View Special Use District, allowing the subdivision or portions of the site as individual lots to exceed the density of the underlying zoning district and allowing uses that are either principally or conditionally permitted within NC-1 districts to be principally permitted within the special use district; adopting environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

5/20/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/19/2008.

080693 [Zoning Map Amendments - HOPE SF Hunters View] **Supervisor Maxwell**

Ordinance amending the Zoning Maps of the City and County of San Francisco, Sheet HT10, to change the Height and bulk Designation of Assessor's Block 4624, Lots 3, 4 and 9 and Block 4720, Lot 27 from 40-X to 40/65-X, Sheet ZN10, to change the Zoning Use Districts of Block 4720, Lot 27 from RH-2, NC-2 and M-1 to RM-1, and Sheet SU10, to designate Assessor's Block 4624, Lots 3, 4 and 9 and Block 4720, Lot 27 with the HOPE SF Hunters View Special Use District; adopting environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

5/20/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/19/2008.

080696 [Zoning - New Controls for the North Beach Neighborhood Commercial District, to Limit the Establishment of New Bars and Restaurants and Preserve Basic Neighborhood Services] **Supervisor Peskin**

Draft Ordinance amending the San Francisco Planning Code by amending Section 722.1 and the

Zoning Control Table in Section 722 to protect neighborhood-serving small businesses in the North Beach Neighborhood Commercial District by prohibiting the establishment of new bars and restaurants in locations that have been occupied by Basic Neighborhood Services; to protect North Beach Specialty Take Out uses, such as traditional North Beach bakeries, delicatessens, gelato and ice cream stores, as defined; to prohibit the establishment of new ground-story Limited Financial and Business and Professional uses; to prohibit new automated bank teller machines (ATMs); to allow restaurants to obtain liquor licenses if they operate as a bona-fide eating places, as defined; and adding a new Section 790.142, to define bona-fide eating place; amending the definition of Basic Neighborhood Services in Section 790.68; and adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

5/20/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/19/2008.

080697 [Unrepresented Employees] Mayor

Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in job codes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2008.

5/20/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Resolutions

080681 [Proclaiming May 22, 2008 as John Muir School Teacher Appreciation Day] **Supervisor Mirkarimi**

Resolution proclaiming May 22, 2008 as John Muir Elementary School Teacher Appreciation Day in honor of John Muir Elementary School's principal, teachers, and staff.

5/20/08, ADOPTED.

080688 [Helping Hands for Animals Program policy welcoming attorneys to volunteer with the District Attorney's Office to help prosecute animal cruelty cases] **Supervisor Alioto-Pier**

Resolution approving the "Helping Hands for Animals" Program which would welcome private attorneys to aid in the prosecution against animal cruelty as volunteer attorneys under the District Attorney's Office of San Francisco County.

5/20/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080689 **[Presidio and City and County of San Francisco Transportation Work Group]** **Supervisor Alioto-Pier**

Resolution establishing the Presidio and City and County of San Francisco Transportation Work Group.
5/20/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080695 **[Disposition and Development Agreement - Redevelopment Agency owned land for 4800 Third Street]** **Supervisor Maxwell**

Resolution approving the Redevelopment Agency of the City and County of San Francisco's Disposition and Development Agreement (the "Agreement") for a portion of Assessor's Block 5322, Lot 45 commonly known as 4800 Third St Street, to Green Blended Communities, L.L.C., for the purpose of developing affordable for-sale housing for lower income households.
5/20/08, ASSIGNED to Board of Supervisors.

080701 **[Proclamation for Peace and Dignity Day on July 7, 2008 in San Francisco]** **Supervisor Maxwell**

Proclamation of the City and County of San Francisco to declare July 7, 2008 as Peace and Dignity Day.
5/20/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080702 **[CalHome Application]** **Supervisor Chu**

Resolution authorizing the submittal of an application to the California State Department of Housing and Community Development for funding under the CalHome Program; the execution of a standard agreement if selected for such funding and any amendments thereto; and any related documents necessary to participate in the CalHome Program.

5/20/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080703 **[Approval of an extension for Planning Commission review - Residential Inclusionary Affordable Housing Program]** **Supervisor Dufty**

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend the Residential Inclusionary Affordable Housing Program of the Planning Code of the City and County of San Francisco to a date within 45-days of the completion of the environmental review, including any required hearings. The proposed Ordinance would specifically Ordinance amending the Residential Inclusionary Affordable Housing Program, including Planning Code Section 315.9 to allow for density bonuses to project applicants who develop on-site, affordable family-sized units as defined herein as part of their inclusionary housing requirements; and the addition of Planning Code Section 315.10 regarding severability and making environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

5/20/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080704 **[90 day extension for Planning Commission review - Mission/Bernal Formula Restricted Use Subdistrict]** **Supervisor Ammiano**

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance amending the San Francisco Planning Code by adding Section 785 to establish the Mission/Bernal Formula Retail Restricted Use Subdistrict and to amend Section 703.3 to prohibit formula retail uses in the Mission/Bernal Formula Retail Restricted Use Subdistrict; amending Sectional Maps SU 07 and SU 11 of the Zoning Map of the City and County of San Francisco to establish the boundaries of the Mission/Bernal Formula Retail Restricted Use Subdistrict; adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

5/20/08, REFERRED FOR ADOPTION WITHOUT

COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080705 [60 day extension for Planning Commission review - The Metro Theatre] **Supervisor Alioto-Pier**

Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on a proposed Resolution that would initiate the designation of The Metro Theatre, 2055 Union Street, Lot 018 in Assessor's Block 0541, as a landmark pursuant to Section 1004.1 of the Planning Code.

5/20/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080484 [Sublease of Real Property at 555 Polk Street] **Mayor**

Resolution authorizing the sublease of 9,000 square feet of office space in the building located at 555 Polk Street for the Community Justice Center through the Department of Public Health.
(Fiscal Impact.)

4/8/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

4/24/08, TRANSFERRED to Budget and Finance Committee.

5/20/08, CALLED FROM COMMITTEE. Pursuant to Rule 5.31.1 Supervisors Dufty, Elsbernd, Maxwell and Alioto-Pier called this measure from Budget and

Finance Committee.

Motions

080676 [Closed Session - Conference with City's Labor Negotiators] **Supervisor McGoldrick**

Motion that the Budget and Finance Committee convene in closed session with the City's Labor Relations Negotiators and the Director of Human Resources, for the purpose of reviewing the City's positions in pending labor negotiations with organizations representing City employees.

5/20/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080683 [Called from committee and committee of the whole, Community Justice Center funding] **Supervisor Dufty**

Motion calling from committee file number 080685, an ordinance removing reserve funding for a Community Justice Center; motion to sit as committee of the whole June 10, 2008.

5/20/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. Pursuant to Rule 5.32, Supervisor Dufty called this measure from Budget and Finance Committee.

080698 [Confirming the reappointment **Mayor**

of Ann Blumlein Lazarus to the San Francisco Port Commission]

Motion confirming the reappointment of Ann Blumlein Lazarus to the San Francisco Port Commission for a four-year term ending May 1, 2012.

5/20/08, RECEIVED AND ASSIGNED to Rules Committee.

080706 [Appointment, Board of Appeals - Kendall Goh]

Motion approving Board of Supervisors President Peskin's appointment of Kendall Goh to the Board of Appeals for the term ending July 1, 2008, and the term ending July 1, 2012.

5/20/08, RECEIVED AND ASSIGNED to Rules Committee.

Hearings

080682 [Audit of the Recreation and Park Department's Cash Handling Practices] **Supervisor McGoldrick**

Hearing request on the Budget Analyst's May 2008 report titled, "Audit of the Recreation and Park Department's Cash Handling Practices."

5/20/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080684	**[Public Hearing - Amending Ordinance 174-07 to Remove Funding Reserve for the Community Justice Center in the Mayor's Office for Fiscal Year 2007-2008]**	**Supervisor Dufty**

Hearing of persons interested in or objecting to proposed Ordinance amending the Annual Appropriation Ordinance, Ordinance 174-07 File Number 070773, to remove the $500,000 reserve on the Community Justice Center in the Mayor's Office for Fiscal Year 2007-2008.

5/20/07, SCHEDULED FOR PUBLIC HEARING. Board to sit as a Committee of the Whole on June 10, 2008.

080694	**[Public Hearing - Disposition and Development Agreement - Redevelopment Agency owned land for 4800 Third Street]**	**Supervisor Maxwell**

Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's Disposition and Development Agreement (the "Agreement") for a portion of Assessor's Block 5322, Lot 45 commonly known as 4800 Third St Street, to Green Blended Communities, L.L.C., for the purpose of developing affordable for-sale housing for lower income households.

5/20/08, SCHEDULED FOR PUBLIC HEARING. To Board as a Special Order on June 10, 2008 at 4:00

p.m. 5/25/08 - Hearing notice published on May 25, 2008.

PROPOSED ORDINANCES

080628 [Settlement of Lawsuit - CCSF v. Competent Builders, Inc. - $510,000]

Ordinance authorizing settlement of the lawsuit, entitled City and County of San Francisco v. Competent Builders, Inc., Alameda County Superior Court Case No: RG-05-229-274 (formerly San Francisco Superior Court Case No. CGC-04-437148). (City Attorney)

5/6/08, RECEIVED AND ASSIGNED to Rules Committee.

080629 [Settlement of Lawsuit - Tamara Josi - $75,000]

Ordinance authorizing settlement of the lawsuit filed by Tamara Josi against the City and County of San Francisco for $75,000; the lawsuit was filed on May 9, 2007 in San Francisco Superior Court, Case No. 463219; entitled Tamara Josi, et al., v. City and County of San Francisco, et al. (City Attorney)

5/6/08, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

080589 [Agreement to Accept the Dolores Hotel Located at 35-37 Woodward Street] **Supervisor Daly**

Resolution approving and authorizing the execution and performance of an Agreement to Transfer and an Irrevocable Assignment and Assumption Agreement and Amendment to Loan Documents relating to the property commonly known as Dolores Hotel and located at 35-37 Woodward Street; adopting findings that the transfer is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this Resolution. (Real Estate Department)

5/12/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Requests Granted

From: Supervisor Alioto-Pier
To: City Attorney
Requesting/Inquiring: Requesting that the City Attorney draft legislation declaring drug-free zones in our public parks. These drug-free park zones shall stiffen penalties for drug crimes committed within their boundaries to discourage drug dealing in our parks where our children play and our community recreates.
From: Supervisor Chu

To: City Attorney
Requesting/Inquiring: Requesting that the City Attorney draft legislation regulating sales of alcohol in malleable containers such as Pocket Shots alcohol in zones within 1000 feet of AT&T Park, Golden Gate Park, and schools in San Francisco.
From: Supervisor Ammiano
To: Immigration and Customs Enforcement
To: Chief, Police Department
To: Sheriff
To: District Attorney
Requesting/Inquiring: Recent news reports have indicated that, under the custody of Immigration and Customs Enforcement (ICE), thousands of people are crammed into over-crowded detention facilities awaiting deportation or a judicial hearing regarding deportation or other immigration issues. Many doctors, nurses, and detainees have reported that the Division of Immigration Health Services (DIHS) has neglected the serious health care needs of both the physically sick and mentally ill at multiple detention facilities. As a result, some detainees have either died of treatable illnesses, or have been forced to suffer the painful effects of their illnesses due to poor care, slow care, or no care. Recent reports also indicate that the U.S. government has injected hundreds of deportees with dangerous psychotropic drugs against their will to keep them sedated during the trip back to their home country, even in cases where people have no history of mental illness.
Currently, many San Francisco residents have been taken into ICE custody through federal immigration

In Memoriams

Mario Montoya, Sr.- Supervisor Dufty
Ruby Tadich Suhr Lawler - Supervisor Dufty
Esther Friedman Sinclair - Supervisor Dufty
Bernice E. Ayala - Supervisors Dufty and Sandoval
Wayland Carr Fuller - Supervisor Maxwell
Robert York - Supervisor Ammiano

ADJOURNMENT

There being no further business the Board adjourned at the hour of 4:15 p.m.
Angela Calvillo, Clerk of the Board
N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.
Approved by the Board of Supervisors on July 8, 2008.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4188 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPA¥OL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7719

Disability access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.
For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org
Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics

Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

63784

04

21

HOUCHEN
BINDERY LTD
UTICA/OMAHA NE.
2008